



**Salisbury Plain**  
Academies

# Complaints Procedure

SALISBURY PLAIN ACADEMIES POLICIES

VERSION CONTROL SHEET

**POLICY NAME: Complaints Procedure**

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## **1 Complaints Procedure**

This procedure is applicable to all students, staff and parents of Salisbury Plain Academies.

### **General Principles**

This procedure is intended to allow you to raise a concern or complaint relating to Salisbury Plain Academies (SPA), any of its academies or the services that they provide.

The Trust has adopted this procedure for complaints from people who are parents/carers of pupils attending any of the academies at the time the complaint is made, or from people who are accessing the services of the Trust at the time the complaint is made.

The Trust will usually also follow this procedure when dealing with complaints from others, but reserves the right to substitute this procedure for an alternative process where it is appropriate to do so. Complainants will be informed about the procedure that will be used to consider their complaint as soon as possible after their complaint is received by the Academy.

This procedure does not apply to concerns and complaints relating to the following, which are dealt with under separate policies:

- Employment Manual
- Admissions
- Exclusions
- Issues Related to Child Protection
- Statements of SEND/EHC Plans

The aims of the procedure are:

- To deal with any complaint against the Trust or an academy or any individual connected with it by following the correct procedure;
- To deal with all complaints thoroughly and in a timely manner and by being open, honest and fair when dealing with the complainant.

All academies will be made aware of this complaints procedure and are expected to review this policy regularly in order that they are familiar with our process of dealing with complaints and can be of assistance when an issue is brought to their attention.

### **Understanding this procedure**

In order to investigate your complaint as fully as possible, we have implemented a staged approach. We anticipate that almost all complaints that arise will be resolved at Stage 1 or Stage 2 below.

We expect our members of staff to be addressed in a respectful manner and for communication to remain appropriate at all times. The procedure under Part 2 will only be used on very rare occasions to deal with unreasonably persistent complainants or unreasonable complainant behaviour.

To enable a proper investigation, concerns or complaints should be brought to the attention of the individual Academy or of SPA central services where it relates to a Trust issue, as soon

as possible. In general, any matter raised more than 3 months after the event being complained of will not be considered. However, the Trust may make exceptions to this.

If, at any stage, the Trust or the Academy believes that the concern or complaint is vexatious, has insufficient grounds, has already been considered in full or has been closed, the Chief Executive, Principal or Chair of the Trustees (as appropriate) may write to you to refuse to consider the concern or complaint under this procedure and the reasons why they are refusing to do so. In this eventuality, the individual with the concern or complaint may proceed directly to Stage 4 of this procedure.

An anonymous concern or complaint will not be investigated under this procedure unless there are exceptional circumstances.

If it becomes necessary to alter the time limits and deadlines set out within this procedure, you will be advised accordingly and given an explanation as to why this has been the case and provided with revised timescales.

In this procedure:

- 'school days' excludes weekends, bank holidays and Academy holidays;
- 'parent' means a parent, carer or anyone with legal responsibility for a child.

## **2 Part one – raising a concern or complaint**

### **2.1 Informal Stage**

Many concerns can be resolved by simple clarification or the provision of information. We value informal meetings and discussions and encourage parents to approach staff with any concerns they may have, and aim to resolve all issues with open dialogue and mutual understanding. If you wish to hold a meeting to discuss your concern or complaint, please explain the nature of your concern or the complaint in advance using the Meeting Request Form provided, where that is appropriate.

Where a complaint concerns your child or a child attending an Academy, it is normally appropriate to communicate directly with the child's class teacher, or the Academy's Principal. Where the complaint is about a member of Academy staff, it is normally appropriate to communicate directly with them in the first instance. This may be by email, letter, by telephone or in person by appointment, requested via the Academy office.

Where a complaint is about SPA, it is normally appropriate to communicate directly via the Senior Operations Officer. This may be by email, letter, by telephone or in person by appointment, requested via the Trust central office.

In the case of serious concerns it may be appropriate to address them directly to the Principal (or to the CEO, via the Senior Operations Officer) or if the complaint is about a Principal or AAB lead. If you are uncertain about who to contact, please seek advice from the Trust office, or the AAB Clerk.

It is anticipated that most complaints will be resolved by this informal stage within 15 working school days of being notified of the complaint.

## 2.2 Formal Stage

If your concern or complaint is not resolved to your satisfaction at the informal stage or you wish the complaint to be dealt with immediately as a formal complaint, you should put your complaint in writing.

If your complaint is about the Chief Executive, your complaint should be sent to the SPA Chair of Trust Board, via the Senior Operations Officer.

If your complaint is about a Principal, your complaint should be sent to the CEO via the Senior Operations Officer.

Your written complaint should include details which might assist the investigation, such as the nature of the complaint, details of how the matter has been dealt with so far, the names of potential witnesses, dates and times of events and copies of all relevant documents. It is very important that you include a clear statement of the actions that you would like the Academy to take to resolve your concern. You may wish to use the Complaint Form provided.

Your written complaint will be acknowledged within 5 school days of receipt. You may be invited to a meeting to clarify your concerns and to explore the possibility of an informal resolution. If you accept that invitation, you may be accompanied by one other person such as a relative or friend, who should not be legally qualified, to assist you in explaining the nature of your concerns. Where possible, this meeting will take place within 10 school days of receipt of the written complaint.

Where you decline the invitation to a meeting or the complaint cannot be resolved through a meeting, arrangements will be made for the matter to be formally investigated.

If necessary, witnesses will be interviewed and statements taken from those involved. If the complaint centres on a pupil, the pupil should also be interviewed. Pupils should normally be interviewed with their parent present, but if this would seriously delay the investigation of a serious or urgent complaint or if the pupil has specifically said that s/he would prefer that their parents were not involved, another member of staff with whom the pupil feels comfortable should be present. If a member of staff is complained against, they must have the opportunity to present their case.

Once all the relevant facts have been established as far as possible, you will be provided with a written response to the complaint, including a full explanation of the decision and the reasons for it. This will include what action the Academy will take to resolve the complaint (if any). You will be advised that if you are dissatisfied with the outcome of the complaint, you may request that your complaint be heard by an Academy Advisory Board (AAB) Panel.

Following investigation, the Executive Principal, Principal, AAB Lead or Trust Board Chair (as appropriate) will notify you in writing of their decision and the reasons for it. Where possible, this will be within 15 school days of receipt of the complaint.

If in the early stages of the investigation, the Principal/ CEO considers that the complaint is best dealt with immediately at Stage 3, it will be passed to the AAB lead/ Trustees and you will be informed of this action without delay.

### **2.3 What if the complaint is about the CEO or a Principal?**

In the case of complaints regarding SPA, the CEO, or a Principal please forward documentation to:

Senior Operations Officer  
Salisbury Plain Academies  
Core Services Hub, Avon Valley College  
Recreation Road  
Durrington  
Wilts, SP4 8HH

### **2.4 What if the complaint is about an Academy Advisory Board Member?**

You should contact the Lead of the Academy Advisory Board (AAB) who will investigate the concerns in accordance with Stage 2. If the complaint is about the Lead of the Academy Advisory Board (AAB) you should contact the CEO via the Senior Operations Officer who will direct your complaint accordingly.

If the complaint is about the AAB as a whole, you should send your complaint to the Chair of the Trust via:

Senior Operations Officer  
Salisbury Plain Academy  
Core Services Hub, Avon Valley College  
Recreation Road  
Durrington  
Wilts, SP4 8HH

## **3 Review Panel Hearing Stage**

If you are dissatisfied with the decision of the CEO/Chair of Trustees (in the case of SPA complaints) under the Formal Stage, you may request that a Review Panel of the Trust is convened to reconsider your complaint. Your request will only be considered if you have completed the relevant procedures at Stages 1 and 2. To request a hearing by the Review Panel, you should write to the Senior Operations Officer within 10 school days of receiving notice of the outcome of the Formal Stage.

If you are dissatisfied with the decision of the Principal / AAB lead (in the case of individual academy complaints) under the Formal Stage, you may request that a Review Panel of the AAB is convened to reconsider your complaint. Your request will only be considered if you have completed the relevant procedures at Stages 1 and 2. To request a hearing before the Review Panel, you should write to the Clerk to the AAB within 10 school days of receiving notice of the outcome of the Formal Stage.

You should ensure that you provide copies of all relevant documents and state all the grounds for your complaint and the outcome that you desire. You may wish to use the Complaint Review Request Form provided. The Clerk to the AAB/Senior Operations Officer will acknowledge your request in writing within 5 school days of receipt.

The review will be conducted by a panel of at least 3 members, consisting of two Trustees (in the case of SPA complaints) or two AAB members of the Trust (in the case of complaints to an academy) and one other person who is independent of the management and running of the Trust/Academy.

Every effort will be made to enable the hearing to take place within 20 school days of the receipt of your request. As soon as reasonably practical, and in any event at least 5 working days before the hearing, you will be sent written notification of the date, time and place of the hearing, together with brief details of the Panel members who will be present. Fair consideration will be given to any bona fide objection to a particular member of the Panel. Copies of any additional documents you wish the Panel to consider should be sent to the Clerk to AAB/Senior Operations Officer at least 3 days prior to the hearing. The Panel reserves the right not to consider any documentation presented after this.

A copy of the complaint and any other documents provided by you in support of your complaint, or by the Trust/Academy in defence of the complaint, will be provided to the Review Panel as soon as practicable upon receipt. Copies of these documents shall also be provided to you or the Principal/CEO (as applicable) at least 3 school days before the hearing. The Review Panel reserves the right not to consider any documentation presented by either you or the Academy, less than 3 school days prior to the hearing. The Review Panel is under no obligation to hear oral evidence from witnesses, but may do so and/or may take written statements into account.

You will be asked to attend the hearing and may be accompanied by one other person such as a relative or friend, who should not be legally qualified. The Clerk to AAB/Senior Operations Officer or nominated deputy will also attend the hearing in order to keep a record of the proceedings.

The Review Panel will be conducted in such a way as to ensure that all those present have the opportunity of asking questions and making comments in an appropriate manner.

Unless otherwise stated, the procedure for an appeal is as follows:

- The complainant and Principal/CEO will enter the hearing together;
- The Chair of the Review Panel will introduce the panel members and outline the process;
- The complainant will explain the complaint;
- The Principal/CEO and committee members will question the complainant;
- The Principal/CEO will explain the Trust/Academy's actions;
- The complainant and the committee members will question the Principal/CEO
- The complainant will sum up their complaint;
- The Principal/CEO will sum up the Trust/Academy's actions;
- The Chair of the Panel will explain that both parties will hear from the committee within 5 school days;
- Both parties will leave together while the panel decides;
- The Clerk will stay to assist the panel with its decision making.

After the hearing, the Panel will consider their decision and inform you and the CEO/Principal of their decision in writing within 5 school days. The letter will set out the decision of the committee together with the reasons underpinning that decision. The Panel can:

- Request further information from you and/or the academy to assist them in making their decision;
- Dismiss the complaint in whole or in part;
- Uphold the complaint in whole or in part;
- Decide on the appropriate action to be taken to resolve the complaint;
- Recommend changes to the Academy's systems or procedures to ensure that

problems of a similar nature do not reoccur.

#### **4 Referral to the Education Standards Funding Agency (EFA)**

If you are dissatisfied with the decision of the Review Panel, you are entitled to refer your complaint to the Education Standards Funding Agency who have limited powers to review the Academy's handling of the complaint in accordance with ESFA's 'Procedure for dealing with complaints about Academies'. At the time of writing, the ESFA procedure and the ESFA school complaints form are available at

<https://www.gov.uk/government/publications/complain-about-an-academy/complain-about-an-academy>

The EFA will check whether the complaint has been dealt with properly by the academy. The EFA will not overturn an academy's decision about a complaint. However, if they find an Academy did not deal with a complaint properly they will request the complaint is looked at again. They will consider complaints about academies that fall into any of the following three areas:

1. Where there is undue delay or the Academy did not comply with its own complaints procedure when considering a complaint;
2. Where the Academy is in breach of its funding agreement with the Secretary of State;
3. Where an Academy has failed to comply with any other legal obligation.

#### **5 Records of Complaints**

A written record will be kept of all formal complaints, including at what stage they were resolved. Correspondence, statements and records relating to individual complaints will be kept confidential, except where access is requested by the Secretary of State or where disclosure is required in the course of a school inspection or under other legal authority.

#### **6 Issues relating to staff discipline or capability**

Details relating to staff discipline and capability must remain confidential to the CEO/Principal. The complainant should be informed that the academy has taken appropriate follow-up action.

## **7 Part Two – Unreasonably persistent complainants and unreasonable complainant behaviour**

There are rare circumstances where we will deviate from the Complaints Procedure set out in Part One.

These include, but are not necessarily limited to:

- Where the complainant's behaviour towards staff, members of the AAB or Trustees is unacceptable, for example, is abusive, offensive or threatening;
- Where, because of the frequency of their contact with the Trust/Academy, the complainant is hindering the consideration of their or other people's complaints and/or the proper running of the Trust/Academy;
- Where the complainant's complaint is vexatious and/or has patently insufficient grounds;
- Where the complainant's complaint is the same, similar to or based on the same facts of a complaint which has already been considered in full by the Trust/Academy.

In these circumstances, we may:

- Inform the complainant that their behaviour is unacceptable or unreasonably persistent and ask them to change it;
- Restrict the complainant's access to the Trust/Academy e.g. requesting contact in a particular form (for example, letters only), requiring contact to take place with a named person only, restricting telephone calls to specified days and times or banning the complainant from the Academy's premises;
- Conduct the Review Panel on the papers only i.e. not hold a hearing;
- Refuse to consider the complaint and refer the complainant directly to Stage 4.

In all cases we will write to tell the complainant why we believe his or her behaviour is unacceptable or unreasonably persistent, what action we are taking and the duration of that action.

Where the behaviour is so extreme that it threatens the immediate safety and welfare of staff, members of the AAB or Trustees, we will consider other options, for example reporting the matter to the Police or taking legal action. In such cases, we may not give the complainant prior warning of that action.

## Appendix One - Summary of Complaints Procedure

<b>Stage 1: Informal concerns</b>	<ol style="list-style-type: none"> <li>1. Complainant brings complaint to attention to <ul style="list-style-type: none"> <li>• Academy complaints – member of staff</li> <li>• Trust complaints – SPA Senior Operations Officer</li> </ul> </li> <li>2. Issue to be resolved within 15 school days</li> <li>3. Where no satisfactory solution has been found, parent to be advised that they may proceed to Stage 2</li> </ol>
<b>Stage 2: Formal Written Complaint</b>	<ol style="list-style-type: none"> <li>1. Complainant to put complaint in writing using Complaint Form to <ul style="list-style-type: none"> <li>• Academy complaints – AAB Lead</li> <li>• Trust complaints – SPA Senior Operations Officer</li> </ul> </li> <li>2. Complaint to be acknowledged within 5 school days</li> <li>3. (Optional) Meeting with parents within 10 school days</li> <li>4. Response to the complaint sent within 15 school days</li> </ol>
<b>Stage 3: Referral to Review Panel</b>	<ol style="list-style-type: none"> <li>1. Complainant to request hearing within 10 school days of receiving notice of the outcome of Stage 2</li> <li>2. Request to be acknowledged within 5 school days</li> <li>3. Hearing to take place within 20 school days of receipt of request</li> <li>4. Notification of date, time and place of the hearing and details of the Review Panel present sent at least 5 school days before the hearing</li> <li>5. Academy/Trust and complainant to submit evidence in support of their case to Clerk/SPA Senior Operations Officer at least 3 school days before the hearing</li> <li>6. Review Panel decision sent not more than 5 school days after the hearing</li> </ol>

### CONTACT DETAILS

#### Academy informal complaints:

Principal at the appropriate Academy address

#### Academy formal complaints:

Clerk to AAB at the appropriate Academy address

#### SPA informal and formal complaints:

SPA Senior Operations Officer  
Core Services Hub,  
Avon Valley College  
Recreation Road,  
Durrington,  
Wilts, SP4 8HH



## Appendix Two – SPA Meeting Request Form

Name of Academy	
I wish to meet	
to discuss the following matter:	
Brief details of topic to be discussed:	
Dates/times when it would be most convenient for a meeting:	
Your name:	
Relationship with the Trust/academy (eg parent/carer of a pupil on the academy roll)	
Pupil's name (if relevant to the matter to be discussed)	
Your Address	
Telephone numbers	
Daytime	Evening
E-mail address	
Signed	Date
<b>[Please complete this form and return it to SPA registered office or to the Academy office, as appropriate]</b>	
<b>Admin use</b>	
Date Form received	Date response sent
Received by	Response sent by



### Appendix Three – SPA Formal Complaint Form

Please complete this form and return it, <b>to SPA registered office or to the Academy office (as appropriate)</b> who will acknowledge its receipt and inform you of the next stage in the procedure.	
Your name:	
Relationship with the Trust-/-Academy (eg parent/carer of a pupil on the Academy roll)	
Pupil's name (if relevant to the matter to be discussed)	
Your Address	
Telephone numbers	
Daytime	Evening
E-mail address	
Please give concise details of your complaint (including dates, names of witnesses etc.) to allow the matter to be fully investigated:	
You may continue on separate paper, or attach additional documents, if you wish.	
<b>Number of Additional pages attached =</b>	
What action, if any, have you already taken to try to resolve your complaint? (i.e. who have you spoken with or written to and what was the outcome?)	
What actions do you feel might resolve the problem at this stage?	
Signed	Date
<b>Admin use</b>	
Date Form received	Date acknowledgement sent
Received by	Acknowledgement sent by
Complaint referred to:	Date:



### Appendix Four – SPA Complaint Review Request Form

Please complete this form and return it, <b>to the Academy office or to SPA's registered office (as appropriate)</b> who will acknowledge its receipt and inform you of the next stage in the procedure. Your name:	
Relationship with the Trust/-Academy (e.g. parent/carer of a pupil on the Academy roll)	
Pupil's name (if relevant to the matter to be discussed)	
Your Address	
Telephone numbers	
Daytime	Evening
E-mail address	
Signed	Date
<p>Dear Sir/Madam</p> <p>I submitted a formal complaint to the Trust / Academy on  ..... and I am dissatisfied by the procedure that has  been followed.</p> <p>My complaint was submitted to ..... and I received a  response from ..... on  .....</p> <p>I have attached copies of my formal complaint and of the response(s) from the Trust / Academy.  I am dissatisfied with the way in which the procedure was carried out, because:</p>	
You may continue on separate paper, or attach additional documents, if you wish.	
<b>Number of Additional pages attached =</b>	
What actions do you feel might resolve the problem at this stage?	
Signed	Date
<b>Admin use</b>	
Date Form received	Date acknowledgement sent
Received by	Acknowledgement sent by
Complaint referred to	Date
Request referred to	Date