

Complaints Policy

This policy is effective in all Academies within the Learning without Limits Academy Trust and the Trust Central Team. Where the term 'Trust' is used in this policy, it covers all Academies and the Trust Offices.

Associated Policies:	
Academy Admissions Policy	Health & Safety Policy
Grievance	Staff Behaviour Policy (Code of Conduct)
Capability Policy	Staff Expectations
Disciplinary Procedures	Whistleblowing Policy

Version: V4.0	Status: LIVE
Date: April 2024	Next Review: April 2025

Version	Date	Author	Changes
V1.0	March 2017	AE	New policy
V2.0	December 2019	AE	Full review taking on new LwLAT policy formats and changes in legislation, including feedback received from Academies
V3.0	February 2022	AE	Name changed to Complaints Policy. Academy logos updated. Contents table added. The role of the complaints co-ordinator has been removed. In keeping with the Scheme of Delegation, references to the role of the Local Governing Body (LGB) and the role of the Board of Trustees have been updated. Section 13 - Stage 4: Review by the Board of Trustees has been added. Section 14 - Complaints about the Trust or Central Staff has been added. LwLAT Wellbeing statement added. Appendix 1: Complaints Form removed.

V4.0 April 2024 AE

Significant Policy review. New policy format.
Policy review period reduced from 3 years to 1 year.
Policy approved at Trust Board meeting 26th April 2024.
List of Associated policies updated.

Policy split into four parts and content updated to allow for clarity of process dependant on the compla t-3.3-0.0-0.7 (t-6 (y) a4 66cn)-0.7 8

Contents

1.	Aims	3
2.	Purpose of this policy	3
3.	Scope of this policy.....	4
4.	Who is responsible for carrying out this policy?	4
5.	Definitions	4
6.	Legislation and guidance	5
7.	Key Principles.....	5
8.	Records of complaints	6
9.	Learning lessons	6
10.	Monitoring arrangements	6
11.	Learning without Limits Wellbeing Statement.....	7
12.	Review of this policy.....	7
Part 1: Complaints Procedure for Parents		8
1.	Stage 1: Informal Concerns	8
2.	Stage 2: Formal Written Complaints.....	9
2.2.	The role of the Principal (or their delegated representative) at Stage 2.....	9
3.	Stage 3: Referral to a Complaints Panel	11
3.4.	The role of the Trust's Lead Governance Professional at Stage 3	11
3.16.	The role of the Chair of the Complaints Panel.....	13
4.	Stage 4: Referral of complaint to Department for Education	14
Part 2: Concerns or Complaints from other Persons		15
1.	Stage 1	15
2.	Stage 2	15
3.	Stage 3	15
4.	Stage 4	15
Part 3: Managing Serial and Persistent complaints		16
1.	Repetitious, including serial and/or persistent, complaints	16
2.	Vexatious complaints.....	16
3.	Complaints pursued in an otherwise unreasonable manner	17
Part 4: Complaint Campaigns.....		18
1.	Definitions.....	18
Appendix 1 - Matters Covered by Other Trust policies.....		

1. Aims

- 1.1. This policy outlines the process for complaints from parents, carers and members of the public. Part 1 of this policy outlines how parents/carers of registered learners currently attending Academies within the Trust can raise a concern or complaint. Concerns or complaints from other persons will be dealt with in accordance with Part 2 of this policy.
- 1.2. The aim of this policy is to ensure that any complaint, including a complaint against a member of staff, is handled by the Learning without Limits Academy Trust sympathetically, efficiently and at the appropriate level, and resolved as soon as possible.
- 1.3. When responding to complaints, the Trust aims to:
 - Be impartial and non-adversarial
 - Facilitate a full and fair investigation by an independent person or panel, where necessary
 - Address all the points at issue and provide an effective and prompt response
 - Treat complainants with respect and courtesy
 - Ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate
 - Keep complainants informed of the progress of the complaints process
 - Consider how the complaint can feed into Academy and Trust improvement evaluation processes
- 1.4. The Trust aims to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed in line with this policy.
- 1.5. The Trust aims to give the complainant the opportunity to complete the complaints procedure in full. To support this the Trust will publicise the existence of this policy and make it available on the Trust website.
- 1.6. Throughout the process, the Trust will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

2. Purpose of this policy

- 2.2. We need to know as soon as possible if there is any cause for dissatisfaction. Parents, carers and members of the public should never feel, or be made to feel, that a complaint, made in a reasonable and appropriate way, will reflect adversely on any learner or their opportunities at any Academy within the Trust. We will investigate and try to resolve every complaint in a positive manner and will treat every complaint as an opportunity:

- To put right any T o m - 3 . 3

3. Scope of this policy

- 3.2. We intend to resolve complaints informally where possible, at the earliest possible stage. Where this is not possible there may be occasions when complainants would like to raise the matter formally. This policy outlines the procedure relating to handling such complaints.
- 3.3. Please refer to the table in Appendix 1 for signposting related to some specific types of complaint. All Trust policies are available on the Trust [website](#).
- 3.4. Complaints about services provided by other providers who use Academy premises or facilities should be directed to the provider concerned.
- 3.5. Anonymous concerns or complaints will not normally be investigated under this procedure. The Academy Principal, Chair of Governors, Chair of Trustees or the Chief Executive Officer (as appropriate), will determine whether there are exceptional circumstances to justify conducting an investigation into the issues raised anonymously.
- 3.6. All staff will be made aware of this Complaints Policy and are expected to review it regularly so they are familiar with the process of dealing with complaints and can be of assistance when an issue is brought to their attention.

4. Who is responsible for carrying out this policy?

- 4.1. The Trust Board has overall responsibility for this policy, and for reviewing the effectiveness of actions taken in response to concerns raised under this policy.
- 4.2. The Trust Board has delegated the day-to-day responsibility for the operation of these procedures to the Academy Principal.

5. Definitions

- 5.1. The Department for Education's (DfE) guidance explains the difference between a concern and a complaint:
 - A concern is defined as "an expression of worry or doubt over an issue considered to be important for which reassurances are sought".
 - A complaint is defined as "an expression of dissatisfaction however made, about actions taken or a lack of action".
- 5.2. Other terms used in this policy:
 - **Meeting** - an in person or virtual meeting (i.e. telephone or video conference where all parties can participate verbally), virtual meetings will only be held in the event that all parties have access to appropriate equipment to attend and are happy to do so
 - **Parent** - a parent, carer or anyone with legal responsibility for a child
 - **Working days** - excludes weekends and Academy holidays and periods of partial or total Academy closure.

6. Legislation and guidance

6.1. This document meets the requirements set out in part 7 of the schedule to the [Education \(Independent School Standards\) Regulations 2014](#), which states that we must have and make available a written procedure to deal with complaints from parents of pupils in our Trust.

6.2.

completed their investigations. Where a complaint is raised but we do not have clarity from the complainant on the issues and/or desired outcomes, we will inform the complainant what information we need to progress the complaint and pause this procedure until reasonable clarity is achieved.

- 7.9. Complainants should not approach individual governors or trustees to raise concerns or complaints. They have no power to act on an individual basis and it may prevent them

11. Learning without Limits Wellbeing Statement

- 11.1. The Trust will always put the effective education of our learners at the heart of any decision that we make. In doing so, we recognise that the requirement to adhere to policies and procedures may be time consuming and can impact on workload. For this reason the Trust and its Academies will always endeavour to support staff when policies and procedures are being actioned.

12. Review of this policy

- 12.1. This policy is reviewed annually by the Trust, or sooner if new legislation comes into force. We will monitor the application and outcomes of this policy to ensure it is working effectively.

Part 1: Complaints P

2.2.7. **the trustee board as a whole**, your complaint should to sent to the Trust's Lead Governance Professional at governance@lwlai.org.uk who will arrange for the

3. Stage 3: Referral to a Complaints Panel

- 3.1. If you are dissatisfied with the decision under Stage 2, you may request that a Complaints Panel be convened to consider your complaint. The Complaints Panel will principally consider those elements of the Stage 2 response to a parent's complaint with which they remain dissatisfied. The panel will not review any new complaints at this stage or consider evidence unrelated to the initial complaint. New complaints must be dealt with from Stage 1 of the procedure.
- 3.2. To request a hearing before a Complaints Panel, you should write to the Trust's Lead Governance Professional at governance@lwlat.org.uk within 15 working days of receiving notice of the outcome of Stage 2. Requests received outside of this time frame will only be considered if exceptional circumstances apply. You should ensure that you provide copies of all relevant documents and provide the details of all the grounds of the complaint about which you remain dissatisfied and the outcome you are looking for.
- 3.3. Your written request will be acknowledged within five working days of receipt.
- 3.4. The role of the Trust's Lead Governance Professional at Stage 3**
- 3.4.1. The Trust's Lead Governance Professional is the contact point for the complainant and the Complaints Panel, and should:
- ensure that the complainant is fully updated at each stage of the procedure
 - liaise with staff / Principal, the Chief Executive Officer, Chair of Governors of an Academy and Chair of the trustees (as applicable) to ensure the smooth running of the complaints procedure
 - be mindful of the timescales to respond to complaints
 - 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)
 - ensure that the Complaints Panel has access to legal advice, where appropriate
 - set the date, time and venue of the meeting, taking reasonable steps to find a date that is convenient to all parties and that the venue and proceedings are accessible
 - collate any written material relevant to the complaint (for example: stage 1 paperwork, Academy and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
 - minute the meeting
 - notify all parties of the Complaints Panel's decision
 - assist the Academy in issuing a summary letter to the complainant.
- 3.5. The Trust's Lead Governance Professional will arrange for a Complaints Panel to be convened, made up of at least three members of Trust governance, including:
- governors of a local governing body and/or trustees of the Trust (as appropriate) with no prior involvement in the matter

- one person who is independent of the management and running of the Academy. This can be a governor, from a local governing body at a different Academy within the Trust, who has no conflict of interest or prior knowledge of the complaint.

3.6. The panel members will determine who of their members will act as Chair of the panel.

3.7.

- the Chair of the Panel will introduce the panel members and outline the process
- the parent will explain the complaint
- the

•

Part 2: Concerns or Complaints from other P

Part 3: Managing Serial and Persistent complaints

There are rare circumstances where we will deviate from the complaints procedure set out in Parts 1 and 2. These include, but are not necessarily limited to:

1. Repetitious, including serial and/or persistent, complaints

1.1. 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 and we have:

- taken every reasonable step to address the complainant's .4 (.003 Tw d (n)5.2 (a)2.8 (b7.2 (my)-1

•

Appendix 2 - Summary of Complaints Procedure for Parents & Carers (Part 1)

Stage 1: Informal concerns	Parent brings complaint to attention of member of Academy staff
	Issue to be resolved (guide: within 15 working days)
	Where no satisfactory solution has been found, parent to be advised that they should proceed to Stage 2

Stage 2: Formal Written Complaint	Parent to put complaint in writing, for the attention of member of Academy staff within 15 working days. Use of the using Complaint Form is highly recommended.
	Complaint to be acknowledged within five working days
	Meeting with parents within 10 working days (where appropriate)
	Response to the complaint sent within 15 working days
	Where no satisfactory solution has been found, parent should proceed to Stage 3

Stage 3: Referral to Complaint Panel	Parent to request, to the Clerk to the Trust Board, a hearing within 15 working days of receiving notice of the outcome of Stage 2
	Request to be acknowledged within five working days
	Hearing to take place within 20 working days of receipt of request
	Notification of date, time and place of the hearing and details of the panel members present sent at least five working days before the hearing
	Academy representative and parents to submit evidence in support of their case to the Trust Lead Governance Professional at governance@lwlat.org.uk at least three working days before the hearing
	Complaint Panel decision sent not more than five working days after the hearing

Appendix 3 - Complaints Form

Your name:
Learner's name:
Your relationship to learner:
Your address and postcode:
Your daytime telephone number:
Your evening telephone number:
Your email address:
Your complaint is: (if you have more than one complaint, please number these)
What action have you already taken to try and resolve your complaint(s) in accordance with Stage 1 of the Trust Complaints Policy? (Who did you speak to and what was the response?)

--

What would you like as an outcome from your complaint(s)?

Are you attaching any paperwork? If so, give details here:
--

Your signature:

Date:

All functions of the complaints procedure must adhere to the requirements of the Data Protection Act 2018 and the Freedom of Information Act 2000.

Please complete and return to the Academy office in a sealed envelope addressed to the Principal or Trust Lead Governance Professional marked **Private and Confidential**.

For Office use only

Date received:

Date acknowledgement sent:

Responsible member of staff: