

Altus Education Partnership
Complaints Policy

Approval Body	Trust Senior Leadership Team
Date of Approval	

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1 Aims

Make your necessary changes to the document. Our Trust aims to meet its statutory obligations when responding to complaints from parents of students at the academy, and others.

When responding to complaints, we aim 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
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into academy and Trust improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The Trust will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will ensure we publicise the existence of this policy and make it available on our website, and on the websites of our academies.

2 Legislation and Guidance

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 students in our Trust.

It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on [creating a complaints procedure that complies with the above regulations](#), and refers to [good practice guidance on setting up complaints procedures](#) from the Department for Education (DfE).

This policy complies with our funding agreement and articles of association.

3 Definitions and Scope

The 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”.

The Trust intends to resolve complaints informally where possible, 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.

This policy does not cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Exclusion
- Whistleblowing
- Staff grievances
- Staff discipline

Please see our separate policies for procedures relating to these types of complaint.

Arrangements for handling complaints from parents of children with SEN about a academy's support are within the scope of this policy. Such complaints should first be made to the special educational needs co-ordinator (they will then be referred to this complaints policy). Our SEN policy includes information about the rights of parents of students with disabilities who believe that our Trust, or an academy within our Trust, has discriminated against their child.

Complaints about services provided by other providers who use Trust premises or facilities should be directed to the provider concerned.

4 Roles and Responsibilities

4.1 The Complainant

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures
- Cooperate with the academy or Trust throughout the process, and respond to deadlines and communication promptly
- Ask for assistance as needed
- Treat all those involved with respect
- Not publish details about the complaint on social media

4.2 The Investigator

An individual will be appointed to look into the complaint and establish the facts. They will:

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report to the principal/headteacher or complaints committee which includes the facts and potential solutions

4.3 Clerk to the Local Governing Body and Trust Board

The clerk will:

- Be the contact point for the complainant and the complaints committee, including circulating the relevant papers and evidence before complaints committee meetings
- Arrange the complaints hearing
- Record and circulate the minutes and outcome of the hearing

4.4 Committee Chair

The committee chair will:

- Chair the meeting, ensuring that everyone is treated with respect throughout
- Make sure all parties see the relevant information, understand the purpose of the committee and are allowed to present their case

5 Principles for Investigation

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

We also intend to address complaints as quickly as possible. To achieve this, realistic and reasonable time limits will be set for each action within each stage.

Where further investigations are necessary, new time limits will be set, and the complainant will be sent details of the new deadline with an explanation for the delay.

The Trust expects that complaints will be made as soon as possible after an incident arises, and no later than 3 months afterwards. We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

6 Summary of Complaints Procedure

We have adopted a 3-stage process for dealing with complaints:

- Stage 1 – informal resolution
- Stage 2 – formal investigation
- Stage 3 – local governing body panel hearing

Stage 1: Informal Resolution

The Trust will take informal concerns seriously and make every effort to resolve that matter quickly.

The complainant should raise the complaint as soon as possible with the relevant member of academy staff or the principal/headteacher, either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact their academy.

The academy will acknowledge informal complaints within five working days, and provide a response within ten working days.

The informal stage may involve:

- A meeting between the complainant and the principal/headteacher or designated member of SLT
- Provision of additional information or clarification
- Amendments to provision or practice
- Provision of additional support or guidance
- Mediation
- Conflict resolution

If the complaint is not resolved informally, it will be escalated to a formal complaint.

Stage 2: Formal Investigation

The formal stage involves the complainant putting the complaint into writing. This letter should provide details such as:

- Relevant dates and times
- The names of witnesses of events
- What the complainant feels would resolve the complaint

The letter should be submitted alongside copies of any relevant documents.

Addressing your complaint -

Complaints not involving the principal/headteacher or a member of the local governing body should be directed to the academy's principal or headteacher. This can be done by:

- Email: **complaints@altusep.com**
- Letter addressed to: chair of the local governing body, delivered to the academy

Complaints involving the chair of the local governing body should be directed to the clerk to the Trust. This can be done by

- Email: **complaints@altusep.com**
- Letter Altus Education Partnership, c/o Rochdale Sixth Form College, College Road, Rochdale, OL12 6HY

Investigation

The complainant will receive written acknowledgement of their complaint within five working days. The investigating officer (such as the principal/headteacher or the chair of the local governing body) will then conduct their own investigation.

The investigation may include:

- Reviews of relevant documents
- Interviews with students, parents, staff and other involved parties

The written conclusion of this investigation will be sent to the complainant within ten working days. If the complainant is not satisfied with the response and wishes to proceed to the next stage of this procedure, they should inform the investigating officer in writing within ten working days.

Stage 3: Local Governing Body Panel Hearing

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at the second, formal, stage.

The panel will be appointed by or on behalf of the Trust and must consist of at least 3 people who were not directly involved in the matters detailed in the complaint. At least 1 panel member must be independent of the management and running of the academy.

The panel cannot be made up solely of local governing body members, as they are not independent of the management and running of the academy.

The panel will have access to the existing record of the complaint's progress (see section entitled 'Record Keeping' below). The local governing body is responsible for ensuring that the panel is properly minuted.

The complainant must be notified of the date, time and location of the review panel at least five working days in advance. However, the review panel reserves the right to convene at their convenience rather than that of the complainant.

At the review panel hearing, the complainant and representatives from the academy, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant is allowed to attend the panel hearing and be accompanied by a parent/carer or other if they wish.

At the hearing, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.

The panel, the complainant and the academy representative(s) will be given the chance to ask and reply to questions. Once the complainant and academy representative(s) have presented their cases, they will be asked to leave and evidence will then be considered.

The panel must then put together its findings and recommendations from the case. The panel will also provide a copy of the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the Trust and principal/headteacher.

The panel will inform those involved of the decision in writing within five working days.

7 Investigation

Where a complaint is raised with the Trust, the Trust's investigating officer will acknowledge the complaint in writing within five working days.

The academy will be asked to provide the following within five working days:

- A meeting between the complainant and the principal/headteacher or designated member of SLT
- Provision of additional information or clarification
- Amendments to provision or practice
- Provision of additional support or guidance
- Mediation
- A copy of the complaints policy and procedures
- Details of other relevant policies and procedures
- An explanation of how each stage of the complaints procedure has been followed
- A response to the complaint, including relevant documents and correspondence

The investigating officer will provide a written response to the complaint within five working days.

8 Complaints About the Trust or Central Staff

We use a 3-step process for addressing complaints made about the Trust as a whole, or against central staff:

- Stage 1 – informal resolution
- Stage 2 – formal investigation
- Stage 3 – Trust Board panel hearing

Stage 1: Informal Resolution

We make every effort to address any concerns or complaints early through informal measures.

The complainant should raise any concerns as soon as possible with the relevant member of the Trust's central team, or the chief executive officer (CEO).

If the concern regards the CEO, the complainant should contact the chair of the Board of Trustees.

If the complainant is unsure who to contact, or needs to contact the chair of the Board of Trustees, they should contact the Trust:

- Email: **complaints@altusep.com**
- Telephone: 01706 769800
- Letter Altus Education Partnership, c/o Rochdale Sixth Form College, College Road, Rochdale, OL12 6HY

The process for responding to and investigating an informal complaint about the Trust or central staff is the same as that set out in section 7.

Stage 2: Formal Investigation

If the complaint is not resolved satisfactorily at the informal stage, the complainant must submit a formal complaint in writing.

The complainant will receive written acknowledgement of their complaint within five working days.

The investigating officer will then conduct an investigation, in line with the process set out in section 8 above, providing a written response to the complainant within ten working days.

Stage 3: Trust Board Hearing

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at the second, formal, stage.

A panel will be appointed by the Trust, and will consist of 3 members of the Board not involved in investigating the complaint in the formal stage.

The complainant must be notified of the date, time, and location of the review panel at least five working days in advance. However, the review panel reserves the right to convene at their convenience rather than that of the complainant.

The complainant and representatives from the Trust, as appropriate, will be present at the panel hearing. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied if they wish.

The Board will ensure that the hearing is properly minuted.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.

The panel, the complainant and the Trust representative(s) will be given the chance to ask and reply to questions. Once the complainant and Trust representative(s) have presented their cases, they will be asked to leave and evidence will then be considered.

The panel must then put together its findings and recommendations from the case. The panel will also provide a copy of the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the Trust.

The panel will inform those involved of the decision in writing within five working days.

9 Referring Complaints on Completion of the Academy Trust and Trust Procedures

If the complainant is unsatisfied with the outcome of the academy or Trust complaints procedure, they can refer their complaint to the ESFA. The ESFA will check whether the complaint has been dealt with properly. The ESFA will not overturn the academy or Trust's decision about a complaint. However, it will look into:

- Whether there was undue delay, or the academy or Trust did not comply with its own complaints procedure
- Whether the Trust was in breach of its funding agreement with the secretary of state
- Whether the Trust has failed to comply with any other legal obligation

If the complaint was not dealt with properly, the academy or Trust will be asked to re-investigate the complaint. If the complaints procedure is found not to meet regulations, the Trust will be asked to correct its procedure accordingly.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

10 Persistent Complaints

Where a complainant tries to re-open the issue with the academy or Trust after the complaints procedure has been fully exhausted and the academy or Trust has done everything it reasonably can in response to the complaint, the chair of the local governing body or the chair of the Board of Trustees will inform the complainant that the matter is closed.

If the complainant subsequently contacts the academy or Trust again about the same issue, the academy or Trust can choose not to respond. The normal circumstance in which the academy or Trust will not respond is if:

- The academy or Trust has taken every reasonable step to address the complainant's needs, and
- The complainant has been given a clear statement of the academy or Trust's position and their options (if any), and
- The complainant is contacting the academy or Trust repeatedly but making substantially the same points each time

However, this list is not intended to be exhaustive.

The academy or Trust will be most likely to choose not to respond if:

- There is reason to believe the individual is contacting the academy with the intention of causing disruption or inconvenience, and/or
- The individual's letters/emails/telephone calls are often or always abusive or aggressive, and/or
- The individual makes insulting personal comments about, or threats towards, academy or Trust staff

Unreasonable behaviour, which is abusive, offensive, or threatening may constitute an unreasonably persistent complaint.

Once the academy or Trust has decided that it is appropriate to stop responding, the complainant will be informed in writing, either by letter or email.

The academy or Trust will ensure when making this decision that complainants making any new complaint are heard, and that the academy and Trust act reasonably.

Anonymous complaints will only be considered when they concern a health and safety or safeguarding matter. In these cases, the complaints will be passed to the designated safeguarding lead or health and safety officer for investigation.

11 Record Keeping and Confidentiality

The academy will record the progress of all complaints, including information about:

- Actions taken at all stages
- The stage at which the complaint was resolved
- The final outcome

The records will also include copies of letters and emails, and notes related to meetings and phone calls.

This material will be treated as confidential and stored securely, and will be viewed only by those involved in investigating the complaint or on the review panel, except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them

In the case of complaints about the Trust or central staff, these records will be managed by the clerk to the Board of Trustees and will be stored securely under restricted access.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or under the terms of the Data Protection Act, or where the material must be made available during an academy inspection.

Records of complaints will be kept for six years.

The details of the complaint, including the names of individuals involved, will not be shared with the whole local governing body of the academy (or the entire Trust Board) in case a review panel needs to be organised at a later point.

Where the local governing body is aware of the substance of the complaint before the review panel stage, the academy will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the local governing body, who will not unreasonably withhold consent.

12 Learning Lessons

The local governing body will review any underlying issues raised by complaints with the principal/headteacher where appropriate, and respecting confidentiality, to determine whether there are any improvements that the academy can make to its procedures or practice to help prevent similar events in the future.

The CEO will receive regular reports on the types of complaints received in each academy in order to support the development of appropriate support structures, and to inform an improvements to procedures or practice. The Trust Board will review all complaints on an annual basis.

13 Monitoring Arrangements

The local governing body will monitor the effectiveness of the academy complaints procedure in ensuring that complaints are handled properly.

The local governing body track the number and nature of complaints, and review underlying issues as stated in the section entitled 'Learning lessons'.

The complaints records are logged and managed by the academy's principal/headteacher.

The CEO will monitor the effectiveness of the complaints procedure Trust-wide.

This policy will be reviewed by Trust Board every three years.

At each review, the policy will be approved by Trust Board.