



Salterns Academy Trust

Complaints Policy & Procedure



Document Control

Document Author: The Chief Operating Officer (COO)

Review period – 3 years, or as required by legislative/policy change

Updated	By	Approved By	Approved Date
November 2022	COO	Trust Board	7 December 2022
Annual Review. Updates include <ul style="list-style-type: none">• Major rewrite of policy to incorporate Trust, TS and ALNS policies in a single document• Clarification of procedures throughout• Inclusion of policy aims and legislative framework.• Inclusion of contact details• Inclusion of sections related to persistent complaints and learning from complaints etc .• Update to include preliminary stage for complaints about schools			

1. Aims

The Salterns Academy Trust aims to meet its statutory obligations when responding to complaints from parents of pupils at the school, and others.

- When responding to complaints, we aim to:
- Be impartial and non-adversarial
- Facilitate a 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
- Make sure any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school 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.

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 schools.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

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 pupils 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).

3. Scope

This Policy and associated procedures cover all complaints about any provision of community facilities or services by Salterns Academy Trust, Trafalgar School and Admiral Lord Nelson School, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
<ul style="list-style-type: none">• Admissions to schools	Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority.
<ul style="list-style-type: none">• Matters likely to require a Child Protection Investigation	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has</p>

	<p>local responsibility for safeguarding. Portsmouth's LADO can be contacted on:</p> <ul style="list-style-type: none"> • 023 9288 2500 • LADO@portsmouthcc.gov.uk <p>Alternatively contact the Multi-Agency Safeguarding Hub (MASH). They can be contacted via MASH@secure.portsmouthcc.gov.uk 02392 688793 or 0845 671 0271</p>
<ul style="list-style-type: none"> • Exclusion of children from school* 	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's Complaints Procedure.</i></p>
<ul style="list-style-type: none"> • Whistleblowing 	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>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.</p> <p>Volunteer staff who have concerns about our school should complain through the school'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.</p>
<ul style="list-style-type: none"> • Staff grievances 	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
<ul style="list-style-type: none"> • Staff conduct 	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member because of a complaint. However, the complainant will be notified that the matter is being addressed.</p>

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 policy or result in the procedures 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 Trust or one of the schools within it in relation to their complaint, we will consider whether to suspend the Complaints Procedure until those legal

proceedings have concluded. The decision on suspending a complaint will be taken by the Trust CEO, unless the complaint relates to the CEO, in which case any decision will be taken by the Chair of Trustees.

Complaints about staff conduct will not generally be handled under this Complaints Procedure.

4. Who can make a complaint?

This Complaints policy is not limited to parents or carers of children that are registered at our schools. Any person, including members of the public, may make a complaint 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 the Complaints Procedure contained within this policy.

5. 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. The Salterns Academy Trust takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a member of staff, we will respect your views. In these cases, the Executive Headteacher/ Headteacher will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Executive Headteacher/ Headteacher 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, The Trust [will](#) attempt to resolve the issue internally, through the stages outlined within this Complaints Policy and Procedures.

6. 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 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.

Complaints Co-ordinator

The complaints co-ordinator can be:

- The Executive Headteacher/Head of School (for complaints about schools)
- The CEO or COO for (complaints about the Trust)
- The designated complaints governor
- Any other staff member providing administrative support

The complaints co-ordinator should:

- ensure that the complainant is updated at each stage of the procedure
- liaise with staff members, Headteacher, CEO, Chair of Governors, Chair of Trust, or the Clerk and to ensure the smooth running of the complaint's procedure
- be aware of issues regarding:
 - sharing third party information
 - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.

Clerk to the Local Governing Body / Trust Board

At the appropriate point in the complaint process The Clerk is the contact point for the complainant and the 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 panel's decision.

Panel Chair

The Panel's 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 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 Panel is open-minded and acts independently
- no member of the 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 (and complaints co-ordinator if there is one).

Panel Member

Panel members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so

No governor / trustee may sit on the 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.
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting
- Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.
- The Panel should respect the views of the child/young person and give them equal consideration to those of adults.
- If the child/young person is the complainant, the Panel should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the Panel should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.
- However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the Panel considers is not in the child/young person's best interests.
- the welfare of the child/young person is paramount.

7. Procedure for complaining about one of our schools

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 if they have appropriate consent to do so.

Complaints against school staff (except the Executive Headteacher/Headteacher) should be made in the first instance, to The Head of School via the school office (see contact details below) . Please mark them as Private and Confidential.

Complaints that involve or are about the Executive Headteacher/Headteacher should be addressed to the Chair of the Local Governing Body of the school about which you wish to complain , via the school office (contact details below) . Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole Local Governing Body should be addressed to the Clerk to the Salterns Academy Trust via the relevant school office. Please mark them as Private and Confidential.

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.

8. Anonymous complaints

We will not normally investigate anonymous complaints. However, the CEO, Executive Headteacher/Headteacher or Chair of Governors, as appropriate, will determine whether the complaint warrants an investigation.

9. 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 only consider complaints made outside of this time frame if exceptional circumstances apply. The final decision in such matter's rests with the CEO of the Trust unless the complaint relates to the CEO, in which case any decision will be taken by the Chair of Trustees.

10. Complaints received outside of term time

The stages outlined in this policy and process will apply to all complaints. For the avoidance of doubt we will consider complaints made outside of term time to have been received on the first school day after the holiday period.

11. Resolving complaints

At each stage in the procedure, the Salterns Academy Trust wants 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 considering the complaint
- an apology.

12. Withdrawal of a complaint

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

13. Stages of a complaint

We have adopted the following process for dealing with complaints about our Schools:

- Preliminary Stage
- Stage 1 – Initial Investigation Stage
- Stage 2 – formal complaint Stage
- Stage 3 – Local Governing Body panel hearing

The timescales and process for investigation and reaching conclusions at each stage are set out below

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 (Human Resources) staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Complaints about a school, school governor or Local Governing Body

Preliminary Stage

It is hoped that most concerns can be expressed and resolved on an informal basis.

Concerns should be raised with the class teacher, subject Head or Head of House. 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 later stages of the procedure.

At this stage of the process there is an expectation that a face-to-face meeting (either in person, or via electronic means) will take place between the relevant member of staff and the complainant as soon as is practicable to discuss the specifics of the concern. The school expects the complainant to co-operate fully with the arrangement of such a meeting. The meeting will be held in private. Electronic recordings of meetings or conversations are not permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before recording of meetings or conversations take place. Consent will be recorded in any minutes taken

The appropriate person will provide a response, usually via e-mail, within five (5) school days of the date of receipt of the concern, or a meeting held to discuss it. If it is not possible to meet this deadline, the complainant will be provided with an update and revised response date.

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

Stage 1 – Initial investigation stage

If it has been possible to address a concern at the preliminary stage in the first instance formal complaints should be made the relevant Headteacher who will delegate responsibility for investigation to a member of the Senior leadership Team (SLT). Complaints must be made in writing and submitted within 10 school days of receiving the stage 1 response. The complaint should state why they remain dissatisfied with outcome of the preliminary stage of the process.

The SLT member will acknowledge receipt of the complaint within 2 school days. This acknowledgement will confirm who will be leading the investigation.

It is expected that the SLT member investigating the complaint will request a face-to-face meeting (either in person or via electronic means) to discuss the specifics of the complaint. This meeting will involve the complainant, the member of SLT investigating the complaint and any other members of staff as required. The school expects the complainant to co-operate fully with the arrangement of such a meeting. The meeting will be held in private. Electronic recordings of meetings or conversations are not permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before recording of meetings or conversations take place. Consent will be recorded in any minutes taken

At the conclusion of their investigation, the SLT member undertaking the investigation will provide a written response (usually via email) within ten (10) school days of the date of the meeting held to discuss the complaint.

If it is not possible to meet this deadline, the complainant will be provided with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide an 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 response will also advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

If the complaint involves the Head of School the process at stage 2 will be undertaken by an independent, suitably qualified member of staff from within the Trust.

If the complaint is:

- jointly about the Chair and Vice Chair or
- about the entire Local Governing Body or
- about most of the Local Governing Body

Stage 2 will be investigated by the Chief Operating Officer of the Trust who will undertake the steps set out at stage 2 of the policy.

Stage 2 – Formal Complaints

Unresolved complaints may be escalated to the Executive Headteacher / Headteacher (unless they are about the Executive Headteacher /Headteacher, in which case they should be made to the LGB Clerk, via the school office (Contact details below) . Details of the complaint must be submitted in writing. Complaints must be made in writing and submitted within 10 school days of receiving the stage 1 response

The Executive Headteacher / Headteacher (or Clerk) will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within two (2) school days.

Within this response, the Executive Headteacher/Headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see..

Note: The Executive Headteacher / Headteacher may delegate the investigation to another member of the relevant school's senior leadership team who has not been previously involved in the complaint but not the decision to be taken.

It is expected that the Executive Headteacher/Headteacher will request a face-to-face meeting (either in person or via electronic means) to discuss the specifics of the complaint. This meeting will involve the complainant, the Executive Headteacher/Headteacher and any other members of staff as required. The school expects the complainant to co-operate fully with the arrangement of such a meeting. The meeting will be held in private. Electronic recordings of meetings or conversations are not permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before recording of meetings or conversations take place. Consent will be recorded in any minutes taken

During the investigation, the Executive Headteacher /Headteacher (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 Executive Headteacher/Headteacher will provide a formal written response (by letter or email) within fifteen (15) school days of the date of the meeting held to discuss the complaint.

If the Executive Headteacher/Headteacher 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 an 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 Executive Headteacher /Headteacher 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 Executive Headteacher / Headteacher, or a member of the Local Governing Body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed by the Chair of Trustees to complete all the actions at Stage 3.

Complaints about the Executive Headteacher/Headteacher or member of the Local Governing Body must be made to the Trust Clerk, via the relevant school office.

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, including the Salterns Academy Trust CEO, or member of the Trust Executive Leadership Team unconnected to the School. This is the final stage of the Complaints Procedure.

A request to escalate to Stage 4 must be made to the Clerk, via the relevant school office, within five (5) school days of receipt of the Stage 3 response.

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

Requests received outside of this time frame will only be considered if exceptional circumstances apply. Such a requests will be considered by the relevant Executive Headteacher /Headteacher

unless the complaint is about the Executive Headteacher/Headteacher – then any decisions will be made by the Chair of the LGB

The Clerk will write to the complainant to inform them of the date of the meeting. The Clerk will aim to convene a meeting as soon as is practicable, taking into account the time required for any additional investigations/ evidence gathering.

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 based on written submissions from both parties.

If the complaint is:

- jointly about the Chair and Vice Chair or
- about the entire Local Governing Body or
- about most of the Local Governing Body

Stage 3 will be heard by the Trustees and an independent panel member.

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 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.

Representatives from the media are not permitted to attend.

At least seven (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 Panel at least five (5) school days before the meeting.

Any written material will be circulated to all parties at least four (4) school days before the date of the meeting. The panel will not 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 meeting will be held in private. Electronic recordings of meetings or conversations are not permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before recording of meetings 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 school's systems or procedures to prevent similar issues in the future.

The Chair of the Panel will provide the complainant and School with an explanation of their decision and the reason(s) for it, by email or letter, within five (5) school days of the meeting.

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 an 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 and, where relevant, the person complained about. 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.

Next Steps

If the complainant believes the school 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 4.

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by the School. They will consider whether the School has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed Part 7 of the Education (Independent School 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

14. Complaints about the Trust

If a complainant wishes to complain directly about the Trust, the procedure below should be followed.

If the complaint concerns the CEO or a Trustee, the complaint will be investigated by the Chair of the Trust Board.

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 (Human Resources) staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

If a complaint concerns the Chair of the Trust Board, the complaint will be referred to the Vice Chair for investigation.

Stage 1: informal complaints

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 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, they should contact the Trust Chief Operating Officer (See below) for advice

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 relating to initial investigation of complaints about our schools.

Stage 2 formal complaints

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

A request to escalate to Stage 2 must be made to the Clerk, via the relevant school office, within five (5) school days of receipt of the Stage 1 response

The Clerk will write to the complainant acknowledging the complaint within three school days of the date that the written request was received. The acknowledgement will confirm that the complaint will now be investigated under this section of the Complaints Procedure, the trust leader who will investigate the complaint and will confirm the date for providing a response to the complainant.

It is expected that the Trust leader investigating the complaint will request a face to face meeting (either in person or via electronic means) to discuss the specifics of the complaint. This meeting will involve the complainant, the Trust leader undertaking the investigation and any other members of staff as required. The Trust expects the complainant to co-operate fully with the arrangement of such a meeting. The meeting will be held in private. Electronic recordings of meetings or conversations are not permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before recording of meetings or conversations take place. Consent will be recorded in any minutes taken

Following investigation of the complaint, the investigator will write to the complainant confirming the outcome. This will be within ten (10) school days of the date of the meeting held to discuss the complaint. If this time limit cannot be met, the investigator will write to the Complainant, explaining the reason for the delay, and providing a revised date.

If the complainant is not satisfied with the outcome of the complaint against the Trust, at stage 2 the complainant should write to the Clerk to the Trust Board via the Admiral Lord Nelson school office asking for the matter to be dealt with at the next stage of this of this section of the complaints policy.

Stage 3 Panel hearing

A request to escalate to Stage 3 must be made to the Clerk, via the Admiral Lord Nelson school office, within five (5) school days of receipt of the Stage 2 response

The Clerk will record the date this communication is received and acknowledge receipt of the complaint in writing (either by letter or email) within five (5) school days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply. The final decision in such matter's rests with the CEO of the Trust unless the complaint relates to the CEO, in which case any decision will be taken by the Chair of Trustees.

The Clerk will convene a panel for a hearing. The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within fifteen (15) school days of receipt of the Stage 3 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 based on written submissions from both parties.

If the complaint is:

- jointly about the Chair and Vice Chair or
- about the entire Trust Board or
- about most of the Trust Board

the complaint will be heard by an independent panel.

The Complaint 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 Complaint Panel members will be independent of the management and running of the Trust. This means that the independent Complaint Panel member will not be an employee of the Trust.

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

Representatives from the media are not permitted to attend.

At least seven (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 Panel at least five (5) school days before the meeting.

Any written material will be circulated to all parties at least four (4) school days before the date of the meeting. The Panel will not 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 meeting will be held in private. Electronic recordings of meetings or conversations are not 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 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 school's systems or procedures to prevent similar issues in the future.

The Chair of the Panel will provide the complainant and Salterns Academy Trust with an explanation of their decision and the reason(s) for it, in writing, within five (5) 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 Salterns Academy Trust.

The response will detail any actions taken to investigate the complaint and provide an explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Salterns 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 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.

Next Steps

If the complainant believes the 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 Salterns Academy Trust. They will consider whether Salterns Academy Trust School has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed [Part 7 of the Education \(Independent School Standards\) 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

15. Persistent complaints

15.1 Unreasonably persistent complaints

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Has made the same complaint before, and it's already been resolved by following this complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory, or repetitive
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaint's procedure, beyond all reason
- Pursues a valid complaint, but in an unreasonable manner e.g., refuses to articulate the complaint, refuses to co-operate with this complaint's procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out
- Makes a complaint designed to cause disruption, annoyance, or excessive demands on school time
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value

15.2 Steps the School/Trust will take

The School/Trust will take every reasonable step to address the complainant's concerns and give them a clear statement of the School's/Trust's position and their options. The School/Trust will maintain the role of an objective arbiter throughout the process, including when meetings are held with individuals. The School/Trust will follow this complaints procedure as normal (as outlined above) wherever possible.

If the complainant continues to contact the School/Trust in a disruptive way, communication strategies may be put in place. The School/Trust may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as [Citizens Advice](#)
- Put any other strategy in place as necessary

15.3 Stopping responding

The School/Trust may stop responding to the complainant when all of these factors are met:

- The School/Trust has taken all reasonable steps to help address their concerns
- The complainant has received a clear statement of the School's/Trust's position and their options
- The complainant contacts the School/Trust repeatedly, and the School/Trust believes their intention is to cause disruption or inconvenience

The School/Trust will inform the individual that we intend to stop responding and explain that any new complaints will still be considered.

In response to any serious incident of aggression or violence, the School/Trust will immediately inform the police and communicate these actions in writing. This may include barring an individual from the School/Trust site.

15.4 Duplicate complaints

If the School/Trust has resolved a complaint under this procedure and received a duplicate complaint on the same subject from a partner, family member or other individual, the School/Trust will

assess whether there are aspects that we hadn't previously considered, or any new information that needs to be taken into account.

If the School/Trust is satisfied that there are no new aspects, it will:

- Tell the new complainant that the issue has already been investigated and responded to, and that the local process is complete
- Direct them to the DfE if they are dissatisfied with the original handling of the complaint

If there are new aspects, this procedure will be repeated.

15.5 Complaint campaigns

Where the School/Trust receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the School/Trust may respond to these complaints by:

- Publishing a single response on the School/Trust website
- Sending a template response to all of the complainants

If complainants are not satisfied with the school's/trust's response, or wish to pursue the complaint further, the normal procedures will apply.

16 Record-keeping and confidentiality

The School/ Trust 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 in the school office and will be viewed only by those involved in investigating the complaint or on the review panel.

In the case of complaints about the trust or central staff, these records will be managed by the Chief Operating Officer and will be stored securely in the trust's offices 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 a school inspection.

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

17 Learning lessons

The local governing body will review any underlying issues raised by complaints with the Executive headteacher/Headteacher, where appropriate, and respecting confidentiality, to determine whether

there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

The Trust board will receive annual reports on the number and types of complaints escalated to stage 2 of the process in each school in order to support the development of appropriate support structures, and to inform any improvements to procedures or practice.

18. Monitoring arrangements

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

The local governing body/ will track the number and nature of complaints that are escalated to Stage 2 of the procedure, and review underlying issues as stated in the section entitled 'Learning lessons'.

The complaints records are logged and managed by each school's Headteacher and reported to the Trust CEO.

The CEO/COO will monitor and report to the Trust board on the effectiveness of the complaint's procedure trust wide.

19. Contact Details

School Office – Trafalgar School

London Road,
Hilsea,
Portsmouth,
PO2 9RJ
info@trafalgarschool.org.uk

School Office - Admiral Lord Nelson School

Dundas Lane,
Portsmouth,
Hampshire
PO3 5XT

admin@alns.co.uk

Chair of Trustees

C/o Admiral Lord Nelson School
Dundas Lane,
Portsmouth,
Hampshire
PO3 5XT

clerk@alns.co.uk

Trust CEO

C/o Admiral Lord Nelson School
Dundas Lane,
Portsmouth,
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CEO@Salternstrust.co.uk

Trust COO

C/o Admiral Lord Nelson School
Dundas Lane,
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rparr@salternstrust.co.uk

Appendix 1 Complaints process flow chart



