

We are an ambitious and inclusive Trust of schools
Strengthening communities through excellent education.



Complaints Policy

Responsibility for approval: Senior Executive
Date of approval: July 2024

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1.0 Policy Statement

- 1.1 We are an ambitious and inclusive Trust of schools strengthening our communities through excellent education. We are committed to providing excellent education for every child, every day, and aim to strengthen and work with our communities.
- 1.2 This policy is based on our values of collaboration and building trust with the school community and the Trust's commitment to complaint resolution and reconciliation at the earliest opportunity.
- 1.3 The Trust values its relationship with parents, carers, and our local community. We aim to address any concerns informally in a timely manner wherever they are raised and are happy to receive suggestions and comments outside of this complaints policy, as this can help us to identify areas of success and where we can make improvements.

2.0 Scope and purpose

- 2.1 This policy sets out the framework for how complaints are managed for all the schools within the Ted Wragg Multi Academy Trust (the Trust). The Trust reserves the right to alter this process, in exceptional circumstances.
- 2.2 We encourage complaints to be raised informally at the earliest opportunity and in a constructive manner, and every effort will be made to resolve the matters as quickly as possible before progressing. However, if this is not possible the procedures in this policy should be followed.
- 2.3 Some complaints are dealt with under statutory policies and therefore not included in this policy as set out in **Appendix 7** under the headings of:
 - Admissions to schools
 - Matters likely to require a Child Protection Investigation
 - Whistleblowing
 - Staff grievances
 - Staff conduct
 - Exclusion
 - School re-organisation proposals
 - Statutory assessments of special educational needs
 - Complaints about services provided by other providers who may use school premises or facilities.
 - Complaints about the curriculum
- 2.4 We consider 3 months to be an acceptable time frame in which to raise a complaint.

3.0 Definition

For the purpose of this document the Ted Wragg Multi Academy Trust is referred to as the Ted Wragg Trust, TWT or the Trust.

4.0 Legal Framework

- 4.1 It is a requirement of the Education (Independent School Standards) Regulations 2014 Part 7 that a complaint procedure is in place for all the academies within the Trust. The model policy from the Department for Education has been used to inform the processes set out in this policy.
- 4.2 The Trust publishes the complaint procedures under Section 29(1)(b) of the Education Act 2002. The number of formal complaints are also published on the Trust website.
- 4.3 There is no legal framework for the complaint procedures, they are in accordance with administrative law principles and is a mechanism for conflict resolution and decisions made are lawful, rational, reasonable, fair and proportionate.

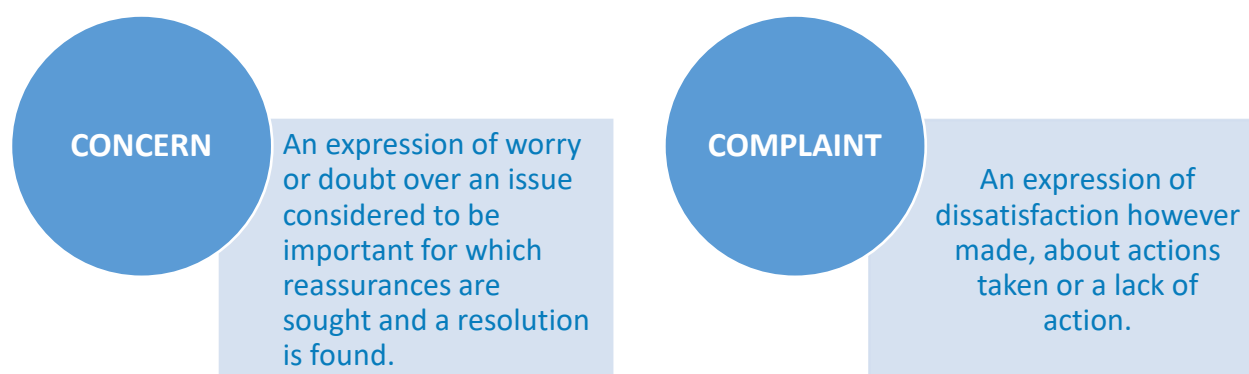
5.0 Who can make a complaint?

5.1 This complaints procedure is not limited to parents or carers of children that are registered at a school within The Trust. Any person, including members of the public, may make a complaint to the school or Trust about any provision of facilities or services that it provides.

5.2 **The complaints procedure will be followed with the exception of those where we have to adopt the separate statutory procedures as outlined in Appendix 7.**

6.0 The difference between a concern and a complaint

6.1 It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, a conversation held with the school can often facilitate resolution prior to complaints procedure being enacted.



The Trust and its schools take concerns seriously and will make every effort to resolve the matter as quickly as possible. At any stage informal resolution can be found and the complaint process closed.

6.2 In the first instance, any concerns should be raised directly with a member of school staff.

If you have difficulty discussing a concern with a particular member of staff, please contact the school's complaints coordinator, who will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the school's complaints coordinator will refer you to another staff member. The member of staff may be more senior but does not have to be.

The staff member must have the ability to consider the concern objectively and impartially and this is more important. Mediation may also be considered at any stage if trust in a relationship has broken down.



6.3 If resolution is not found from raising your concerns, this complaints procedure framework is in place to enable you to take this formally to stage 2 for the attention of the school's complaints co-ordinator. The school will attempt to resolve the issue using this process.

We understand however, that there are occasions, due to the nature of the complaint when people need to raise their concerns formally at stage 2.

7.0 How to raise a concern or make a complaint

7.1 **A concern or informal complaint** can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf of a complainant, as long as they have provided appropriate consent to do so.

Concerns are taken very seriously, and we pledge to acknowledge all concerns raised within **3 school term time days**.

All safeguarding concerns will be dealt with as a matter of priority in accordance with school safeguarding policies.

- 7.2 **Formal complaints must** be made in writing and wherever possible via the complaint form which can be found here: [Complaint Form](#)
- 7.3 Complaints that relate to how effectively an individual has responded to the concerns raised will be addressed under the complaints policy. However, if the complaint is in relation to an individual's conduct, whilst this will be investigated, any outcome would be addressed under HR policies and procedures as noted in **Appendix 7**.
- 7.4 Complaints should not be made to individual governors as the school will be best placed to investigate and resolve any concerns or issues. Should a governor get involved it would prohibit their involvement in a stage 3 Governor Appeal Panel as they would be familiar with the complaint being presented.
- 7.5 If the Trust receives complaints as part of a focused campaign and receive large volumes of complaints based on the same subject or from complainants unconnected with the school, the Trust will publish a single response on the school website or send a template response to all complainants.

8.0 Complaints Form

8.1 To ensure we fully understand the complaint, we encourage complainants to use the [Complaint Form](#).

You will be asked to complete the following information on the Complaints Form:

- 8.2 If you require help in completing the form, please contact the school office or complaints coordinator in your school. You can also ask a third-party organisation for example like the Citizens Advice to help you.

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, holding meetings in accessible location and providing translation and/or interpreter services where needed.

9.0 Resolving complaints

9.1 At each stage in the procedure, the school will want to resolve the complaint.

9.2 If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology

10.0 Anonymous complaints

10.1 We will not normally investigate anonymous complaints. However, if appropriate, we will determine whether the complaint warrants an internal investigation.

11.0 Timescales

11.1 **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.**

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

12.0 Complaints received outside of term time

12.1 We will consider complaints made outside of term time on the first school day after the holiday period.

13.0 Managing unreasonable behaviour of those raising concerns/complaints

13.1 The Ted Wragg Trust and its schools are committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who raise a complaint.

13.2 We will not normally limit the contact complainants have with our schools. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

13.3 The purpose of this policy is to define what is meant by serial and unreasonable complaints and the actions which will be taken in these cases. This policy should only be employed by exception based on the complaints meeting the criteria defined in [Managing Unreasonable Behaviour Policy](#).

14.0 Withdrawing a complaint

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

15.0 Record keeping

15.1 A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, along with what actions have been taken, regardless of the decision.

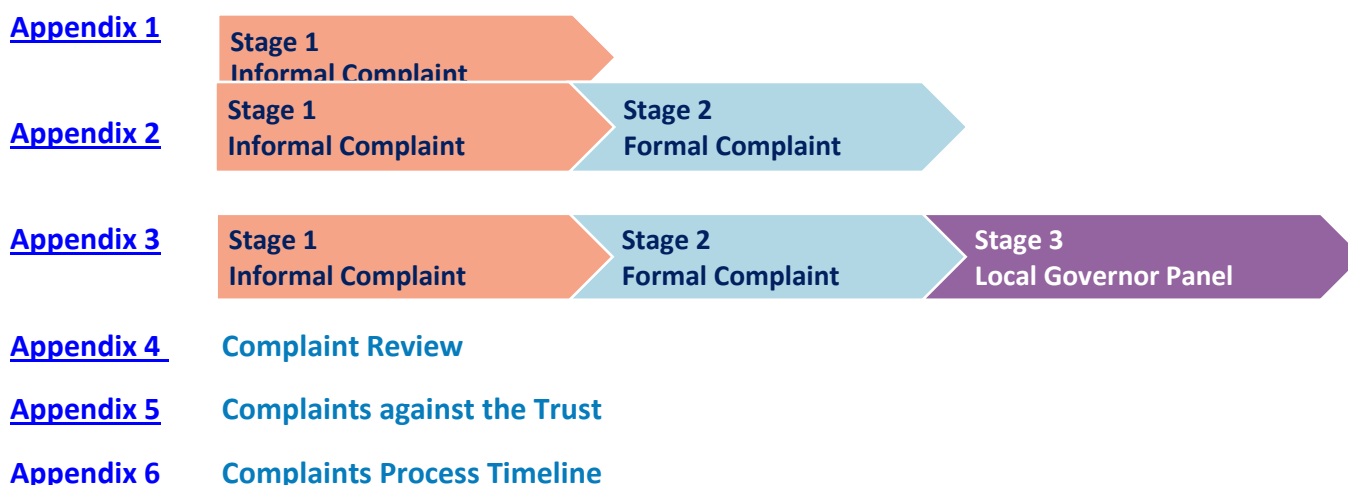
15.2 All correspondence statements and records relating to individual complaints will be kept confidential, except where the Secretary of State or a body conducting an inspection under Section 109 of the 2008 Act requests access to them.

16.0 Staff Training

16.1 Each school has a nominated Complaints Lead who is appropriately trained in the management and handling of complaints.

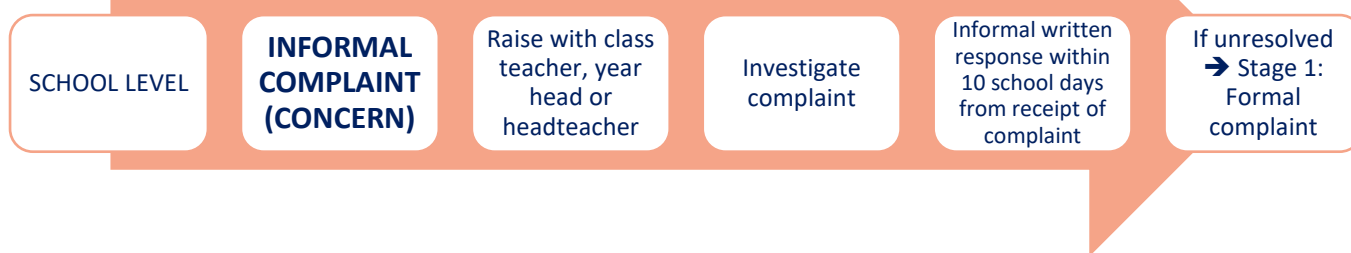
17.0 Appendices

The following pages set out the different stages for raising a complaint within this framework:



Appendix 7 Scope of the Complaints Policy

Appendix 1: Stage 1 Informal Complaint (concern) Process



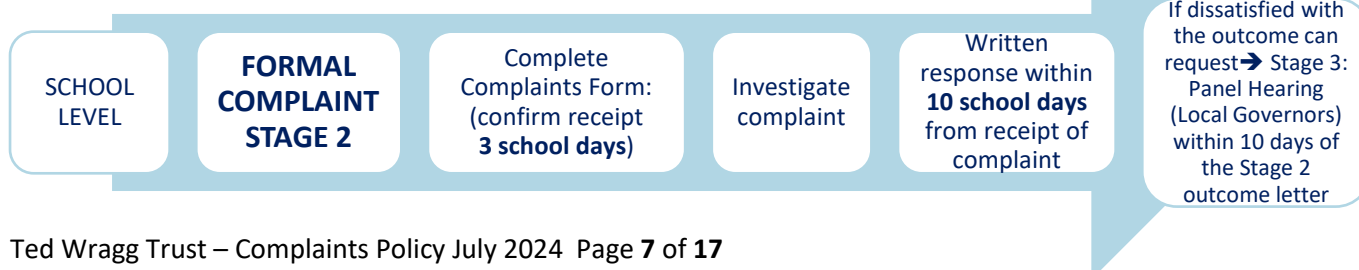
- It is to be hoped that most concerns can be expressed and resolved on an informal basis at school level.
- Concerns should be raised with either the class teacher, year head / subject head or Headteacher where holding that conversation can produce timely resolution.
- **In some circumstances, the school may enter the complaint as a formal complaint (stage 2) due to the serious nature of the concerns raised. The school’s complaints co-ordinator will confirm this when the complaint is acknowledged.**
- Mediation may also be considered if trust in a relationship has broken down.

At the conclusion of their investigation, the appropriate person investigating the complaint will provide an informal written response within **10 school term time days** of the date of receipt of the complaint.

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 stage 3 of the procedure.

(Stage 2 of the Complaints Procedure)

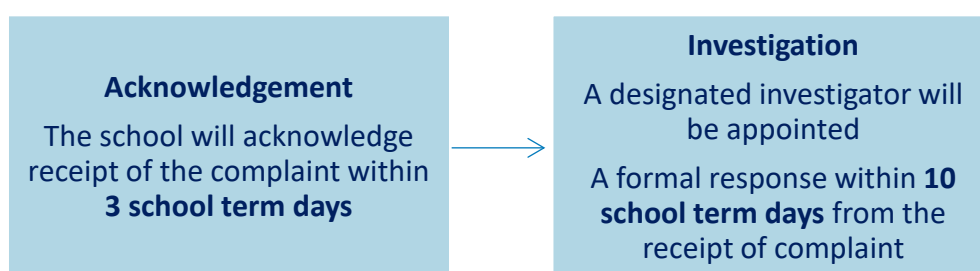
Appendix 2: Stage 2 Formal Complaint Process



Where possible formal complaints must be submitted in writing, using our complaints form, which can be found here [Complaint Form](#). Completing this form will enable us to deal with your complaint as efficiently as possible.

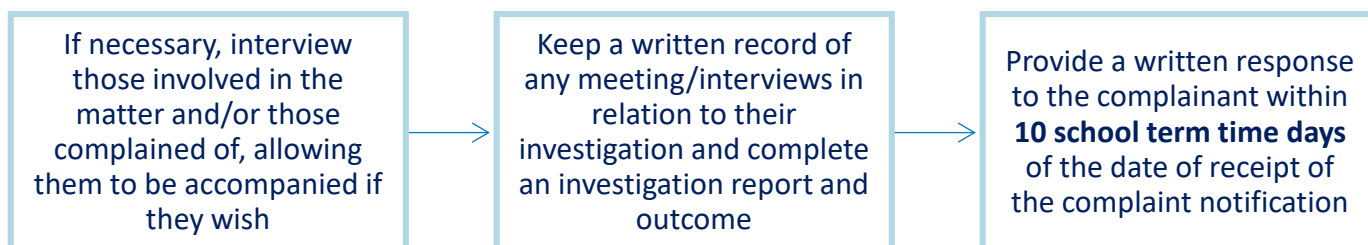
If there is any reason why you cannot complete this form, please discuss an alternative written method with the school complaints coordinator.

Face to face meetings are always the preferred and most appropriate way of establishing the details of the complaint, (what remains unresolved and the preferred outcome from the complaint). Resolution at the earliest stage of this process is encouraged.



The Headteacher, or other appropriate person, may delegate the **investigation** to another member of the school's senior leadership team but not the decision to be taken.

During the investigation, the Headteacher (or designated investigator) will:

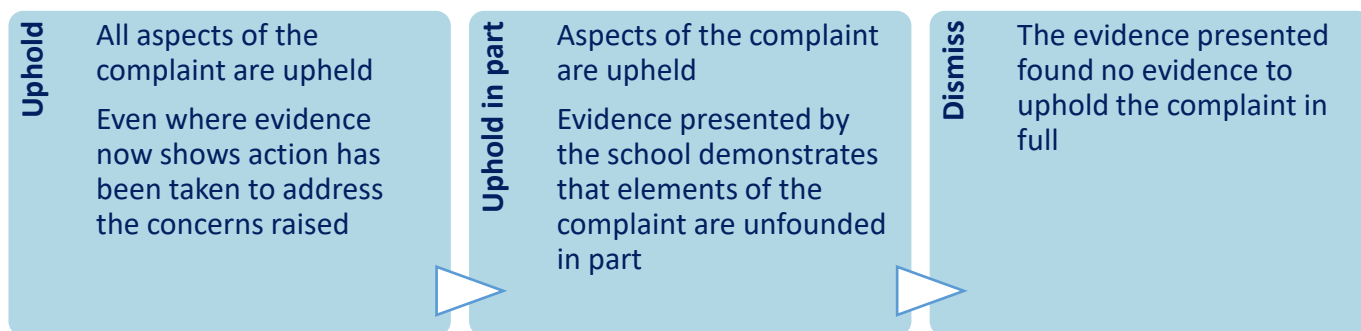


If the deadline of 10 school term days cannot be met, the investigator will provide the complainant with an update and a revised response date.

The written response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it.

Where appropriate, it will include details of actions the Trust will take to resolve the complaint and where appropriate recommend changes to the school's systems or procedures to prevent similar issues in the future.

The outcome of any complaint will be set out under a possible three outcomes:



The Headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of stage 2.

(Stage 3 of the Complaints Procedure – Local Governor Panel Hearing)

All correspondence statements and record relating to individual complaints will be kept confidential, except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

Where the complaint is about the Headteacher or a member of the governing board, it must be sent to the Governance Team on governance@tedwraggtrust.co.uk

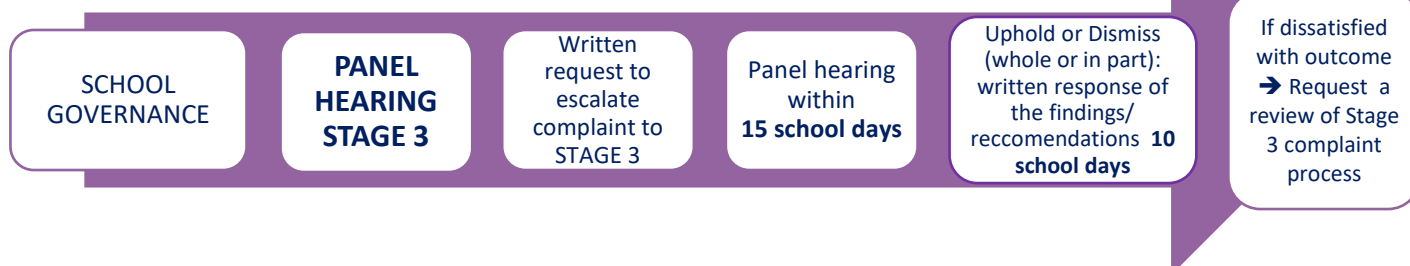
Headteacher

- Stage 2 will be escalated to the Deputy CEO of the Trust where an investigator will be appointed from the senior team.

Governing Board

- The Chair of the Trustees will appoint a trustee or Trust staff to conduct the investigation.

Appendix 3: Stage 3 Local Governor 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 Local Governor Panel Hearing) setting out which aspects of the outcome they wish to appeal against.
- The request to escalate to stage 3 panel hearing must be made to the Governance Team, via governance@tedwraggtrust.co.uk **within 10 school term time days** from the date of the stage 2 outcome letter. Requests that fall outside of this timeline will only be considered where exceptional circumstances apply.
- A panel hearing consists of at least three governors who were not directly involved in the matters detailed in the complaint along with one panel member who is independent of the management and running of the school who may join remotely (this could be a governor from another school within the Trust).
- The panel will not consider any new complaints or any additional evidence to the initial complaint presented at Stage 2.

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 committee meeting as this is a reconciliation hearing and does not adopt a legalistic approach.

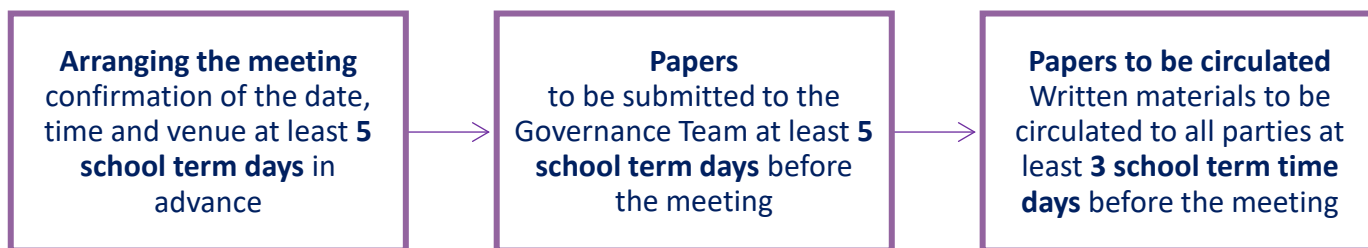
Representatives from the media are not permitted to attend.



- If the panel cannot be held within the 15 school term days, the school will provide an anticipated date and keep the complainant informed.
- If the complainant rejects the offer of three proposed dates, without good reason, the Governance Team will decide when to hold the meeting. It will then proceed in the complainant’s absence on the basis of written submissions from both parties.

The school will only provide the papers included as part of the evidence considered in the stage 2 complaint.

The Governance Team will arrange the panel date, time, venue and panel membership.



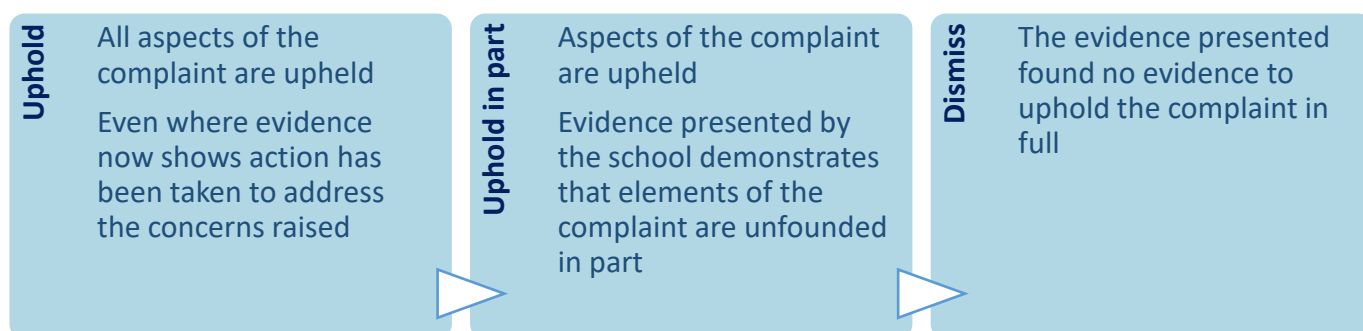
The panel should not accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

CCTV or mobile videos cannot be submitted where other students are in view without their consent. There is no facility to edit the CCTV recordings.

The panel will consider the complaint and all evidence presented and can uphold the decision in whole or in part, or dismiss the complaint, in whole or in part. Where the complaint is upheld the panel will decide on the appropriate action to be taken to resolve the complaint. The panel's findings/recommendations will be presented on writing within 10 school days. The panel will ensure that those findings and recommendations are emailed 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.

Note: Complaints about staff conduct will not generally be handled under this complaint 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.

The outcome of any complaint will be set out under a possible three outcomes:



This is the final stage of the complaint procedure where the complainant can present in a hearing.

The Chair of the panel will advise the complainant of how to apply for a Trust review of the complaint process should they remain dissatisfied with the outcome of stage 3.

No representations are made during this review process where the focus is to consider whether there is any evidence of procedural impropriety, if unreasonable, or unlawful.

(Complaint Review)

Where the complaint is about the Chair, Vice Chair or the governing board, it must be sent to the Governance Team on governance@tedwraggtrust.co.uk

Chair and/or Vice Chair	<ul style="list-style-type: none"> • Stage 3 will be heard by a panel of two trustees and one independent panel member who may be a senior leader from an external trust.
Governing Board	<ul style="list-style-type: none"> • A panel of two trustees and one independent panel member will hear the complaint.

Appendix 4: Complaint Review

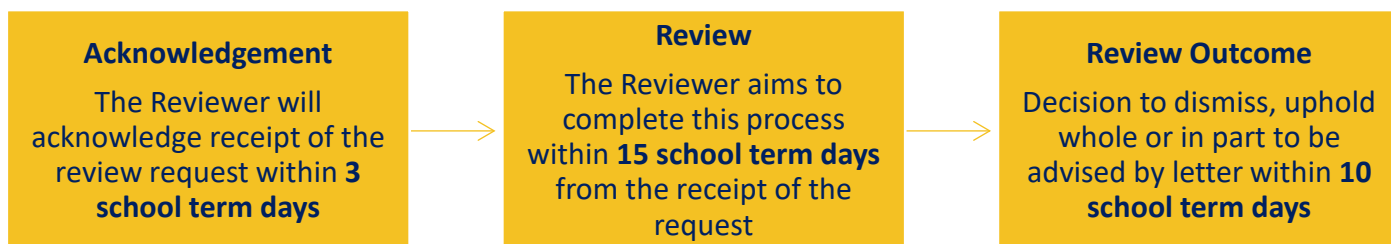
An application for a complaint review to be conducted at Trust level following the stage 3 complaint process.



- If the complainant is dissatisfied with the way their complaint was handled, or with the final outcome at stage 3, they can apply for a Trust level review setting out which aspects of the outcome they believe have not been followed. It is important to understand that the relevant review cannot reinvestigate your complaint. It can only assess whether the handling or the final outcome of your complaint was reasonable and proportionate.
- The request for a Trust level review must be made to the Governance Team, via governance@tedwraggtrust.co.uk **within 10 school term time days** from the date of the stage 3 outcome letter. Requests that fall outside of this timeline will only be considered where exceptional circumstances apply.
- The Deputy CEO will appoint a reviewer, who has not been directly involved in the matters detailed in the complaint. The reviewer will conduct this process using the complaint pack presented at stage 3 and all corresponding papers from the stage 3 panel hearing.

The review will have no parent or school representation involved in this process.

The Reviewer will not consider any new complaints or any additional evidence to the initial complaint.



If the review cannot be conducted within the timeline, the complainant will be informed of an estimated date for completion of this process.

The Reviewer can make recommendations to support further resolution between the school and the complainant through meetings if this would help with the rebuilding of trust in the parent and school relationship.

This is the final stage within the Ted Wragg Trust complaint procedures for responding to this complaint. The complaint is either resolved or closed at this stage.

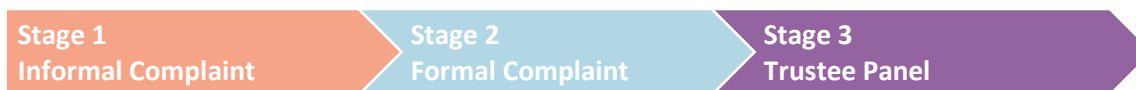
If the complainant believes the school/Trust have not followed the process in handling their complaint in accordance with the published complaints procedure or acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the ESFA once they have completed a Trust level complaint review.

The ESFA will not normally reinvestigate the substance of the complaints or overturn any decisions made by the Ted Wragg Trust. They will consider whether the Trust 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:



Appendix 5: Complaints against the Trust



TRUST

If a complainant wishes to complain directly about the Trust, then the complaint should be addressed to the Trust Complaints Coordinator to be investigated.

The Trust will follow the procedures as set out in stages 1 and 2.

If a stage 3 panel is required this will consist of two trustees who have no prior knowledge or connection with the complaint and one independent panel member who may be from another trust.

The same timelines would apply to each of the stages in this complaint procedure.

Complaints about staff conduct will not generally be handled under this complaint procedure but considered under any staff disciplinary procedures as appropriate. Outcomes will not be shared with complainants.

CEO and DCEO

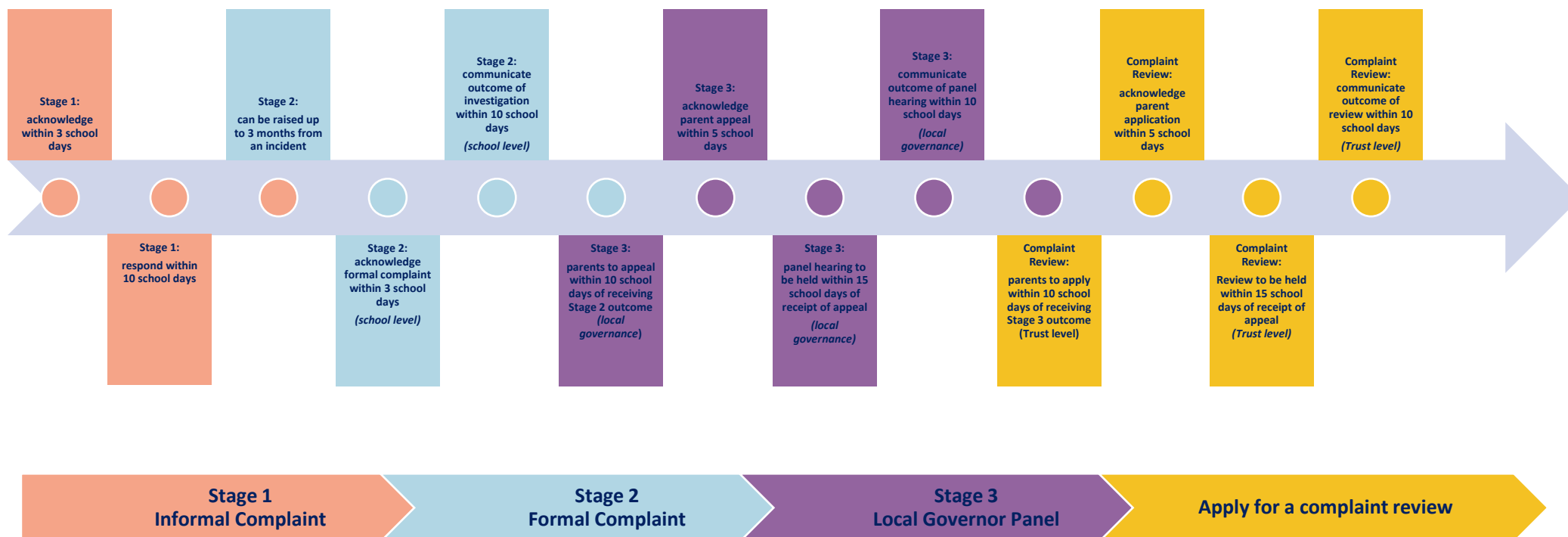
Where a complaint concerns the CEO or Deputy CEO, the complaint will be investigated by the Chair of Trustees, or the Vice Chair dependent on any prior involvement or knowledge of the complaint which would exempt them.

Trust Board, Chair of Trustees or a Trustee

Where a complaint is jointly about the Chair and Vice Chair or the entire Trust Board, the stage 3 panel will be heard by a completely independent committee panel.

Appendix 6: Complaints Process Timeline

There is an expectation that complaints would be resolved at school level and that mediation would take place to build trust in any breakdown in relationships between the complainant and the school. If the complaint escalates through the formal complaint stages set out in the Complaints Policy, the time span would range between 10 school days through to 80 school days.



Appendix 7: Scope of the complaints policy

Some complaints are dealt with under other statutory procedures and therefore not included in this policy (see below).

Admissions to schools

- Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority.
- Each school has an Admission Policy which notes the appeal process.

Matters likely to require a Child Protection Investigation

- Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.
- If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH).
- **LADO CONTACT:** 01392 384964/
childsc.localauthoritydesignatedofficersecuremailbox@devon.gov.uk
- **MASH CONTACT Devon:** 0345 155 1071 /mashsecure@devon.gov.uk
- **MASH CONTACT Plymouth:** 01752 668000/gateway@plymouth.gov.uk

Whistleblowing

- We have a **whistleblowing procedure** for all our employees, including temporary staff and contractors.
- Volunteer staff who have concerns about our school should complain through the school's **complaints procedure** in the first instance to resolve any issues before initiating the whistleblowing procedures.

Staff grievances

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

Staff conduct

- Complaints about staff conduct will be dealt with under the HR policies, if appropriate.
- Any misconduct identified following an investigation will be addressed via internal disciplinary procedures.
- Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.

Exclusion*

- Further information about raising concerns about exclusion is outlined in the Dept. for Education's **Suspension and Permanent Exclusion guidance**
- The Ted Wragg Trust **Exclusion Policy can be accessed here**
- **complaints about the application of the behaviour policy can be made through this complaints procedure*

If other bodies are investigating aspects of the complaint, for example the Police, Local Authority safeguarding teams of tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations. If this happens, we will inform you of a proposed new timescale.

If a complainant commences legal action against the Ted Wragg Trust in relation to their complaint, we will consider whether to suspend the complaints procedure. until those legal proceedings have concluded.