newcollaborative Learning Trust

Complaints Policy

Version 10

This policy applies to all NCLT settings.

Thorpe Hesley Primary School – Where Children Grow

To be the best that we can be – Redscope Primary School

Anston Greenlands Primary School – Love to Learn

DINNINGTON HIGH SCHOOL

Wingfield Academy

Achieving Excellence – Brinsworth Academy

newcollege Doncaster

newcollege Bradford

newcollege Pontefract

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1.0 Introduction

1.1 The Trust and its schools and colleges are committed to high quality provision and support and we operate in a climate of fairness, equality and mutual respect. We believe that we can learn from the experience and views of students, parents and other stakeholders and want to listen to and address any concerns that may arise.

1.2 At any stage of the complaints procedure, based on the details of the complaint, a decision may be made to deal with the complaint under a different and more relevant policy or procedure if appropriate.

1.3 Complaints should be logged promptly or at least within 2 calendar months of the incident. If a complaint is received after this time, unless there are exceptional circumstances, no further action will be taken.

1.4 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 Trust takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

1.5 AI-generated content can contain errors therefore we discourage individuals from using AI to write their complaint as it may be inaccurate and not reflect the Trust policies and procedures as well as not clearly identifying the actual cause for the complaint.

2.0 Scope

2.1 This document meets the requirements set out in part 7 of the schedule to the Education (Independent School Standards) Regulations 2014, which states that we must have and make available a written procedure to deal with complaints from parents/carers of pupils at the school.

2.2 It is also based on best practice guidance for academies complaints procedures published by the Department for Education.

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

2.4 In addition, it addresses duties set out in the Early Years Foundation Stage statutory framework with regards to dealing with complaints about the school's fulfilment of Early Years Foundation Stage (EYFS) requirements.

2.5 This procedure covers all complaints about any provision of community facilities or services by any NCLT school/college, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
• Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with the Trust/local authority as appropriate.

Exceptions	Who to contact
proposals	
• 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).
• Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: https://www.gov.uk/school-behaviour-exclusions/exclusions **complaints about the application of the behaviour policy can be made through the school's complaints procedure.*
• Data Protection / GDPR Complaints	The complaints process for individuals who consider NCLT has infringed UK General Data Protection Regulation in relation to their personal data, or concerning the personal data of a person they are entitled to represent are set out in the Data Protection Policy.
• Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: https://www.gov.uk/contact-dfe Volunteer staff who have concerns about our school/college should complain through the 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.
• Staff grievances	Complaints from staff will be dealt with under the internal grievance procedures.

Exceptions	Who to contact
• Staff conduct	Complaints about staff will be dealt with under internal procedures, if appropriate. 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.
• Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
• National Curriculum - content	Please contact the Department for Education at: https://www.gov.uk/contact-dfe

2.6 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 procedure or result in the procedure being suspended until those public bodies have completed their investigations.

2.7 If a complainant commences legal action against any NCLT institution in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

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

- Follow these procedures
- Co-operate with the school throughout the process, and respond to deadlines and communication promptly
- Ask for assistance as needed
- Treat all those involved with respect
- Do not approach individual advisors about the complaint
- Do not publish details about the complaint on social media

3.0 Stage One Informal Resolution

3.1 The Trust takes informal complaints seriously and will make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

3.2 The complainant should raise the complaint as soon as possible within the timescales set out in section 1.3.

3.3 The complaint should be directed to the school office in the first instance to ensure the relevant member of staff can deal with it quickly and effectively.

3.4 The school/Trust will acknowledge informal complaints within 3 school days, which will

confirm how the school/college intends to proceed.

3.5 The informal stage will involve a discussion with the relevant member of school staff or the headteacher, either in person or by letter, telephone or email. The school/college office will record the outcome

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

4.0 Stage Two: Formal Resolution

4.1 The formal stage involves the complainant submitting the complaint to the Complaints Officer using the relevant form (Appendix 2). All formal complaints are dealt with by a single point of contact for all schools/colleges in the Trust, this point of contact is Sam Corbett (Complaints Officer) who can be contacted at complaints@nclt.ac.uk

4.2 The purpose of Stage 2 is not ordinarily to repeat enquiries that have already been undertaken as part of Stage 1. Instead, the investigation will consider whether the matters raised were investigated reasonably, whether relevant information was overlooked, and whether the conclusions reached were supported by the evidence available at the time.

4.3 Where a complaint primarily reflects disagreement with the findings reached, rather than a concern about the investigation process or consideration of relevant evidence, the Stage 2 investigator may conclude that the original findings remain appropriate.

4.4 For complaints about a Headteacher or Principal, the complaint will usually be directed to the relevant phase's Executive Director via the Complaints Officer.

4.5 For complaints about the CEO, the complaint will be directed to the Chair of the Board of Trustees via the Complaints Officer. In the absence of the Chair, the Vice-Chair will be expected to deputise for the Chair and fulfil their role.

Note: Where the Chair/Vice-Chair of the Trust Board has investigated the complaint, they will write the letter of outcome to the Complainant and provide a copy to the Chief Executive *(except where the complaint is about them).*

4.6 If the complaint is about any or all Advisors or Trustees, the complaint will be directed to the CEO via the Complaints Officer.

4.7 Receipt of the complaint will be acknowledged in writing within 5 school/college days. The Complaints Officer will review the complaint and determine the most appropriate member of staff to handle the complaint or conduct further investigations, where the Complaints Officer deems this is required.

We will consider complaints made outside of term time to have been received on the first term date after the holiday period.

4.8 The investigating officer, a Senior Manager within the Trust or Chair/Vice-Chair of the Board, as appropriate, will carry out whatever further investigation is deemed necessary

to understand the facts of the case and to achieve a successful outcome regarding the complaint. This may include, but is not confined to, interviewing relevant witnesses and taking statements of those involved, reviewing electronic or printed materials/policies etc.

4.9 The investigating officer will keep written records of all meetings undertaken as part of the investigation together with any other relevant documentation and evidence gathered.

4.10 A complainant may be accompanied by a friend or relative if requested to attend a meeting as part of the investigation. In this case, the complainant should make their own arrangements for such representation. The representative may ask questions.

4.11 The investigating officer should be made aware if the complainant has any additional requirements, for example a disability which should be considered prior to the meeting.

4.12 The investigating officer will respond to the complainant within 20 school/college days of the written complaint being received, with a copy being submitted to the Complaints Officer.

4.13 A full written response will include a full explanation of the decision relating to the complaint and the reasons for it. Where appropriate, this includes what action the school/college will take to resolve the complaint.

4.14 The complainant will not be informed of any outcome or action that may or may not be taken against an individual following a complaint, due to confidentiality.

4.15 The complainant will be advised that if they wish to appeal the outcome of the complaint, Stage Three processes must be followed.

5.0 Stage Three – Appeal

5.1 Complainants have the right to appeal within 10 school/college days of receipt of the stage 2 letter. Appeals should be submitted on the relevant form (Appendix 3) and addressed for the attention of the Complaints Officer (Sam Corbett) in the first instance to complaints@nclt.ac.uk.

5.2 A panel will be appointed to hear the appeal and will comprise of three individuals not previously directly involved with the complaint, with one panel member who is independent of the management and running of the school/college and who has had no former involvement in the case). *The independent panel member will not be a member, Trustee or employee of the school but can be an Advisor from an Advisory Group from a different school or college. This is because such person would have no direct involvement with the management and running of the school being complained about.*

5.3 A complainant will be entitled to attend the appeal panel hearing and is able to be accompanied by an appropriate companion (friend or relative) if they wish. The panel should be notified of the chosen companion in good time in advance of the hearing.

5.4 If the complainant rejects the offer of 3 proposed dates without good reason, the Complaints Officer will set a date. The hearing will go ahead using written submissions from both parties.

5.5 The complainant must submit written material they wish to include at this stage to the Complaints Officer with the stage 3 form. Any written materials will be circulated to all parties at least 5 school/college days before the meeting date. The panel will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint.

5.6 The meeting will be held in private. Reasonable adjustments will be made for any complaints with special requirements.

5.7 The panel can either uphold the complaint in whole or in part or 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 system or procedures to prevent similar issues in the future.

5.8 The panel will ensure that those findings and recommendations are (i) sent by email or otherwise given to the complainant and, where relevant, the person complained about and (ii) are available for inspection on school/college premises by the Trust/Principal.

The complainant will not be informed of any outcome or action that may or may not be taken against an individual following an appeal, due to confidentiality.

A record of all formal complaints and their outcome will be kept confidentially by the Complaints Officer.

The decision will be communicated in 3 school/college days.

5.9 If the complainant is not satisfied with the school's/college's response to a complaint, they may complain to the DfE.

The DfE will not normally reinvestigate the substance of complaints or overturn any decisions made by the Trust. They will consider whether the Trust/relevant school or college 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 via the DfE's online complaints form or write to:

Ministerial and Public Communication Division
Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

More information and the online form are available on the DfE's website (https://www.gov.uk/complain-about-school)

Ofsted does not investigate individual complaints, but it can use complaints to inform its inspection schedule.

5.10 Very occasionally and regretfully it may be necessary to close a complaint where the complainant is still dissatisfied.

6.0 Complaints about our fulfilment of early years requirements

6.1 We will investigate all written complaints relating to the school's fulfilment of the Early Years Foundation Stage (EYFS) requirements, and notify the complainant of the outcome within 28 days of receiving the complaint. The school will keep a record of the complaint and make this available to Ofsted on request.

6.2 Parents and carers can notify Ofsted if they believe that the school is not meeting Early Years Foundation Stage requirements, by:

Calling 0300 123 4666

Emailing enquiries@ofsted.gov.uk

Using the online contact form available at https://www.gov.uk/government/organisations/ofsted#org-contacts

7.0 Unreasonable Complainants

7.1 The Trust is committed to dealing with all complaints fairly and to providing a high-quality service to those who complain. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from such behaviour, including that which is abusive, offensive or threatening.

7.2 The Trust defines unreasonable complainants as 'those who, because of the frequency or nature of their contacts with an school/college would cause significant disruption to the safe and effective operation of the school/college, harass or threaten any members of the school/college or Trust, or engage in vexatious complaints by seeking to re-open matters that have already been subject to a concluded complaints procedure.'

7.3 Where a complainant acts in an unreasonable manner, the Complaints Officer may inform the complainant that the complaints procedure has been drawn to an end by reason of the conduct of the complainant.

7.4 A complaint may be regarded as unreasonable when the person making the complaint:

- Refuses to articulate their complaint and provide the relevant information, despite assistance being offered.
- Refuses to co-operate with the complaints investigation whilst still wishing their complaint to be resolved.
- Refuses to accept that certain issues are not within the scope of this policy.
- Insists on the complaint being dealt with in a way that is incompatible with the Complaints Policy or with good practice.
- Changes the basis of the complaint as the investigation proceeds.
- Introduces trivial or irrelevant information which the complainant expects to be taken in to account, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales.
- Makes unjustified complaints about staff who are trying to deal with the complaint.
- Repeatedly makes the same complaint (despite previous investigations/responses concluding that the complaint has no grounds or has already been addressed).
- Seeks an unrealistic outcome.
- Refuses to accept the findings of an investigation, where the Complaints Policy has been exhausted.
- Makes excessive demands on the school/college whilst the complaint is being dealt with, in terms of the amount of contact with staff regarding the complaint.
- Behaves inappropriately, such as maliciously, aggressively, threatening or intimidating, uses abusive language, falsifies information or knows the complaint to be false.

Please note: the above list is not intended to be exhaustive and is for guidance purposes only. It is at the discretion of the school what is deemed to be unreasonable.

7.5 Where a complainant's behaviour is very serious, the concerns will be put in writing, the police may be informed and the complainant may be banned from school/college premises. The safety of staff and students is of paramount importance to us and the public has no automatic right of entry.

7.6 Complainants should try to limit their communication with the school while the

complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached. Complainants should limit the number of communications with the school/college whilst a complaint is being processed, so as not to delay an outcome being reached.

8.0 Serial/persistent complaints

8.1 If the complainant contacts the school again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent'. We may stop responding to the complainant when the following conditions are met:

- We have taken every reasonable step to address the complainant's concerns
- The complainant has been given a clear statement of our position and their options
- The complainant contacts the school repeatedly, making substantially the same points each time
- The case to stop responding is stronger if:
- The complainant's communications are often or always abusive or aggressive
- The complainant makes insulting personal comments about or threats towards staff
- We have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience

8.2 Where we decide to stop responding, we will inform the individual that we intend to do so. We will also explain that we will consider any new complaints they make provided the concerns raised are materially different to those raised previously and/or are unconnected to the previous concern

9.0 Duplicate complaints

9.1 If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

9.2 If we are satisfied that there are no new aspects, we will:

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

10.0 Complaint campaigns

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

- Publishing a single response on the school website
- Sending a template response to all of the complainants

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

11.0 Record keeping and Information Sharing

11.1 The Trust commits to:

- Record the progress of the complaint and the final outcome
- Record whether the case progressed to a panel hearing
- Record the action taken by the school or the trust, regardless of outcome
- Determining who is responsible for these records and is kept secure
- Ensuring that correspondence, statements and records relating to individual complaints are to 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.

Appendix 1 - Complaints appeal panel proceedings & key points

Hearing Panel members should be aware that:

- the meeting must be independent and impartial and should be seen to be so. No advisor / Trustee may sit on the Hearing 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

Proceedings

- written material is seen by everyone in attendance in advance of the meeting (the complainant can send additional material up to 10 days prior)
- the procedure for hearing the appeal will be outlined by the Chair of the Panel, as below
- the complainant will present their complaint appeal
- panel members may, if they wish, ask questions of the complainant
- the Investigating Officer may ask questions of the complainant (if present)
- the Investigating Officer will be invited to explain how the complaint was managed and what decisions were taken on the complaint. (if present)
- the Panel may, if they wish, ask the Investigating Officer questions. (if present)
- the complainant may ask the Investigating Officer questions (if present)
- following summaries by the complainant and Investigating Officer, they will leave the meeting
- the Panel will then come to a decision on the complaint appeal. The Hearing Panel will consider the complaint and all the evidence presented.
- the Hearing 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 Hearing Panel will:
- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the Trust's systems or procedures to prevent similar issues in the future.
- The Chair of the Hearing Panel will provide the complainant and relevant Trust school with a full explanation of their decision and the reason(s) for it, in writing, within **3 school days** (template available)

Appendix 2 - Formal Complaint (Stage 2) Form

[You can access the on-line form of this Form by using this link - Stage 2 Form]

Formal Complaint (Stage 2) Form
New Collaborative Learning Trust

Your Details

Name: _____

Relationship to school/college: (Please tick)

- ☐ Parent/Carer of current pupil
- ☐ Parent/Carer of former pupil
- ☐ Member of the public
- ☐ Other (please specify): _____

Contact telephone number: _____

Email address: _____

Preferred method of contact: ☐ Email ☐ Telephone ☐ Letter

Pupil Details (if applicable)

Pupil name: _____

Year group/Class: _____

School/College: _____

Details of Your Complaint

What is your complaint about? (Please be as specific as possible)

When did the issue(s) occur? (Please provide dates if possible)

Have you tried to resolve this informally? ☐ Yes ☐ No
If yes, who did you speak to and what was the outcome?

What Would Resolve Your Complaint? What outcome are you hoping for?

Supporting Information
Please list any documents or evidence you are attaching to support your complaint:

Are there any witnesses to the events? ☐ Yes ☐ No
If yes, please provide names and contact details (if known):

Reasonable Adjustments
Do you require any reasonable adjustments to help you participate in the complaints process? (For example, due to disability, learning difficulties, or English as an additional language)
☐ Yes ☐ No
If yes, please specify:

Declaration

I confirm that the information provided in this form is accurate to the best of my knowledge.

Signature: _____ Date: _____

For Office Use Only
Date received: _____
Acknowledged by: _____ Date: _____
Assigned to: _____
Target response date: _____

Appendix 3 - Request for Stage 3 Panel Hearing

[You can access this Form on line by using this link - Stage 3 Form]

New Collaborative Learning Trust
Request for Stage 3 Panel Hearing

Your Details

Name: _____

Relationship to school/college: (Please tick)

- ☐ Parent/Carer of current pupil
- ☐ Parent/Carer of former pupil
- ☐ Member of the public
- ☐ Other (please specify): _____

Contact telephone number: _____

Email address: _____

Preferred method of contact: ☐ Email ☐ Telephone ☐ Letter

Pupil Details (if applicable)

Pupil name: _____

Year/Class: _____

School/College: _____

Details of Your Original Complaint

Date of original complaint: _____

Who investigated your complaint at stage 2:

_____

Date of Stage 2 response: _____

Brief summary of your original complaint:

Reasons for Requesting a Panel Hearing

Please explain why you are dissatisfied with the Stage 2 response and wish to escalate to a panel hearing:

(You should explain which aspects of the Stage 2 response you disagree with and why)

_____

_____

_____

_____

_____

Please tick the reason(s) that apply:

☐ The procedure was not followed correctly
☐ I believe the investigation was not thorough
☐ I believe the outcome was unreasonable
☐ I am dissatisfied with the proposed actions/resolution
☐ Other (please specify): _____

_____

What Outcome Are You Seeking?
What would resolve your complaint at this stage?

_____

_____

_____

_____

Attendance at the Panel Hearing

Do you wish to attend the panel hearing? ☐ Yes ☐ No

If yes, who will be attending with you? (Maximum of 2 people including yourself)

Name: _____ **Relationship:** _____
Name: _____ **Relationship:** _____
_

_____

Reasonable Adjustments and Accessibility
Do you require any reasonable adjustments for the panel hearing?

☐ Yes ☐ No

If yes, please specify: (For example: wheelchair access, hearing loop, interpreter, large print documents)

_____

_____

_____

Availability
Please indicate any dates within the next 4 weeks when you are NOT available:

_____

Note: We will make every effort to accommodate your availability, but the panel

hearing must take place within [20 working days] of receiving this request.

Declaration

I understand that:

- The panel's decision is final and there is no further right of appeal within the trust
- I must submit this form within 10 working days of receiving the Stage 2 response
- I must provide any information for consideration at least 5 working days before the hearing
- The panel hearing is not a re-investigation but a review of whether the complaint was handled properly
-

Signature: _____ **Date:** _____

For Office Use Only

Date received: _____
Acknowledged by: _____ **Date:** _____
Panel hearing date: _____
Panel members assigned:

1. _____
2. _____
3. _____

Clerk assigned: _____