



January 2024

Next review date: January 2025

Complaints Procedure Statement

(This policy applies to all academies managed by Wootton Academy Trust [WAT])

Person responsible: Mr Mark Lehain (Executive Headteacher)

Reviewed by: Executive Leadership Team

(This policy was reviewed by Wootton Academy Trust in 2017, December 2020, February 2023 and January 2024)

Key individuals/groups

Directors Committee
Designated Director
Executive Headteacher
Head of School
Head of College

WAT Trust Board
WAT Trust Board
Mark Lehain
Carrie McMorn
Tim Detheridge

1. Introduction

This is the Complaints Procedure statement agreed by Wootton Academy Trust. A parent or a pupil may raise a concern. 'Parent' includes any person who is not a parent of the pupil but who has parental responsibility for the pupil or who has care of the pupil.

It is natural that occasionally a parent or a pupil may have a personal concern regarding educational issues at an academy managed by Wootton Academy Trust. Often the concern will resolve itself,

but if it does not then this statement enables either a parent or a pupil to raise the issue with the academy. The objective is to conduct the process in a fair, impartial, objective and transparent manner. All correspondence, statements and records of complaints will be kept confidential.

All the documents referred to in this statement are published widely, including on Wootton Academy Trust's websites. Copies of the documents can also be obtained from the Executive Assistant to the Executive Headteacher, to whom any questions about this statement or any other document should be addressed. The EA's contact details are at the end of the statement.

The parties are expected to do their best to adhere to the timetable. If for any reason a party is unable to comply with the timetable, then they should write to the other party explaining why and saying when they will comply with the timetable.

Wootton Academy Trust's Complaint Procedure will follow the DfE's Best Practice Guidance for School Complaints Procedures 2020 [updated 12 March 2021]. If the Trust's Complaint's Procedure conflicts with the DfE's Best Practice Guidance, the DfE Best Practice Guidance will take precedence.

2. Informal Concern

It is in everyone's interest to resolve a concern as quickly as possible. Therefore, the parent or pupil should speak to the member of staff concerned at the first opportunity. It may be necessary to make an appointment at a time which is convenient to both the member of staff and the parent or pupil.

It is important to let the member of staff know what the concern is when making an appointment so that if necessary further enquiries can be made prior to the meeting.

If either the member of staff concerned, or the parent or pupil wants another colleague to deal with this concern then they should inform the Clerk to the Trust who will consult with the Executive Headteacher about referring the matter to another member of staff, e.g. Head of Department or the Deputy Head of School or Deputy Head of College.

The purpose of the meeting is to find a solution or to agree a plan of action to resolve the concern informally. On most occasions this should resolve the concern.

If the meeting does not achieve its objective, then either party may suggest that the Head of School or Head of College should become involved. The parties should inform Executive Headteacher's Assistant that they wish the Head of School or Head of College to become involved in resolving their concern.

The Head of School or Head of College may wish to make their own enquiries of the parent, staff or pupils before their meeting with the parent or the pupil who raised the concern.

If the Head of School or Head of College is involved, then this process should be concluded within **7** working days from the date of the request for the Head of School or Head of College to be involved.

If the Head of School or Head of College's intervention does not resolve the concern to the satisfaction of the parent or the pupil, then the parent or the pupil has the option to consider making a formal complaint.

3. Formal Complaint

A formal complaint must be in writing and addressed to Executive Assistant to Executive Headteacher. The parent or pupil may either use the complaint form, or set out the same details in a letter. Copies of relevant documents should also be enclosed with the complaint form or letter.

A formal complaint should be made at the earliest opportunity. Any delay at this stage may hinder enquiries that may need to be made, or prejudice the satisfactory outcome of the complaint.

A formal complaint will be acknowledged within 3 working days. The aim is to send a decision to the parent or pupil within 10 working days of receipt of the complaint.

The Executive Headteacher may delegate the investigation to a senior colleague. However, the decision will be that of the Executive Headteacher.

If the complaint is about the Executive Headteacher, the Executive Assistant will forward the complaint form or letter to the Chair of the Wootton Academy Trust Board. The Chair will then delegate the investigation of the complaint to a director of Wootton Academy. The Chair of the WAT Board will have no involvement in the investigation of the complaint at this stage.

The Executive Assistant will write to the parent or pupil informing them of the name of the person who will carry out the investigation.

The person with responsibility for investigating the complaint may request a further meeting with the parent or pupil. This meeting will be a formal meeting at which another member of staff may be present to take a note. The parent or pupil may be accompanied to the meeting.

The Executive Headteacher or Director will send a written decision to the parent or pupil.

4. Review of the Decision

If a parent or pupil wants to ask for a review of the decision then they must write to the Executive Assistant within 10 working days of receipt of the decision letter, setting out why they disagree with the decision.

The Chair of the WAT Board will convene an impartial panel - with the power to make findings and recommendations - consisting of three people who are not directly involved in the matters detailed in the complaint. Two representatives will be governors of the relevant Local Governing Board [i.e. either Wootton Upper School or Kimberley College] or directors of the Trust, and one member will be independent of the management and running of the academy. The independent panel member will be nominated by the Chair from a list of candidates drawn up by the board of Wootton Academy Trust.

If the complaint concerns a governor of the pupil's Academy Local Governing Board, or a director of Wootton Academy Trust then the Chair, Vice-Chair or another director of Wootton Academy Trust will convene the Review Hearing.

Principles of equality and diversity will influence the make-up of the panel.

The chair of the panel will be elected by the members of the Review Hearing.

The Executive Assistant will acknowledge the request for a review within 3 working days of receipt, and also inform the parent or pupil of the names of the panel members. The Executive Headteacher's Assistant will then agree with the parent or pupil a mutually convenient date and time for the Review Hearing.

The parties should cooperate with the intention of holding the Review Hearing within **10** working days of receipt of the written request for a review.

The Review Hearing will be held in private and it will take the form of a discussion led by the chair of the Review Hearing. A note of the Review Hearing will be taken by a person appointed by Wootton Academy Trust.

The manner in which the Review Hearing is conducted is entirely within the discretion of the chair of the Review Hearing acting in accordance with the objectives set out above. It is not expected that there will be any witnesses called to give a statement.

If there are any witnesses, then they should provide written statements. It is preferable that witness statements should be sent to all the parties before the hearing in order to avoid the risk of the Review Hearing being adjourned.

A parent or pupil can be accompanied to the Review Hearing by a person of their choice. However, it is not anticipated that they will be represented at the Review Hearing.

A witness cannot attend the Review Hearing, or the parent or pupil be represented unless the chair of the Review Hearing has previously agreed to this in writing. In no circumstances will there be cross-examination of a witness.

The review panel may make findings or recommendations.

The chair of the Review Hearing will send the written decision, findings of fact and recommendations to the parent or pupil, and where relevant to the person complained about, within 3 working days of the Review Hearing. These findings will be available on the College premises for inspection by the Principal and Proprietor.

The decision of the Review Hearing is final and neither the academy nor Wootton Academy Trust will enter into further correspondence on the subject matter of the complaint.

If a parent or pupil is dissatisfied with the decision of the Review Hearing they should contact the Education and Skills Funding Agency [ESFA] who will consider your complaint on behalf of the Secretary of State for Education.

<https://www.education.gov.uk/schools/leadership/schoolperformance/school-complaints-form>

Correspondence can be by email provided all the parties agree. Otherwise, correspondence will be sent by first class post.

A written record of all complaints will be kept and indicate whether they were resolved at the preliminary stage or whether they proceeded to a panel hearing.

5. Keeping Records of Complaints

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.

The Head of School/Head of College will:

- (i) record the progress of the complaint and the final outcome;
- (ii) record whether the case progressed to a panel hearing;
- (iii) record the action taken by the school/college or the trust, regardless of outcome;
- (iv) be responsible for these records and make sure the data is kept secure;
- (v) delete records of complaints after two years, unless statutory regulations apply;

- (vi) ensure that complainants have a right to copies of these records under the Freedom of Information Act 2000, the Data Protection Act 2018 and GDPR.

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.

The Head of School/Head of College will:

- (i) determine on what occasions where complaints are made or continue to be escalated after a child has left the school/college records relating to ongoing complaints are retained. *On changing schools, the pupil's educational record is transferred to the new school and no copies are retained.*
- (ii) ensure that the school/college holds records of complaints separate to their pupil records (*while a complaint is ongoing*) so that access to them can be maintained.
- (iii) ensure that information generated by a complaint which does not form part of the pupil record, the school/college will store this information separately and securely.
- (iv) ensure that personal data will only be kept for as long as is necessary for the immediate purpose of processing. The data should be stored securely and, where appropriate, encrypted to maximise security.

Contact Details

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ADDITIONAL INFORMATION

The following is important additional information regarding how Wootton Academy deals with complaints but does not form part of the Complaints Procedure Statement.

Wootton Academy Trust Review

The board of Wootton Academy Trust will monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary.

As well as addressing an individual's complaints, the process of listening to and resolving complaints will contribute to the process of school improvement. When individual complaints are heard, the school may identify underlying issues that need to be addressed. The monitoring and review of complaints by each academy and the board of Wootton Academy Trust will provide a useful tool in evaluating each academy's performance.

Additional Documents

- Complaints Form
- Key Messages Complaints

- School Complaints Act

Complaints not in Scope

A complaints procedure should cover all complaints about any provision of community facilities or services that a school provides other than complaints for which there are separate (statutory) procedures, including those listed below.

Admissions to schools

For school admissions, it will depend on who the admission authority is (either the school or the local authority).

Complaints about admission appeals for local authority maintained schools are dealt with by the appropriate ombudsman.

School re-organisation proposals

Contact the local authority or diocese, as appropriate, in the first instance and then escalate to us, if dissatisfied.

Statutory assessments of special educational needs

Concerns about statutory assessments of special educational needs should be raised direct with local authorities.

Matters likely to require a child protection investigation

Complaints about child protection matters should be handled:

- under the school's child protection and safeguarding policy
- in accordance with relevant statutory guidance

Refer to your local authority designated officer (LADO) or the multi-agency safeguarding hub (MASH).

Exclusion of children from school

Further information about raising concerns about exclusions is available in the [School discipline and exclusion](#) guidance.

Complaints about the application of the behaviour policy can be made through the school's complaints procedure.

Whistleblowing

You must have an internal [whistleblowing procedure](#) for your employees, including temporary staff and contractors.

The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers who do not want to raise matters direct with their employer. Concerns can be raised with DfE using its [contact form](#).

Volunteers who have concerns about schools should complain through the school's complaints procedure. Depending on the substance of the complaint they may also be able to complain to:

- the local authority
- DfE using its [contact form](#)

Staff grievances

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

Staff conduct complaints

Complaints about staff are dealt with under the school's internal disciplinary procedures, if appropriate.

Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, you should notify complainants that the matter is being addressed.

Complaints about services provided by other providers who may use school premises or facilities

Schools should direct complainants to follow the external provider's own complaints procedure.

Complaints about the curriculum

Complaints about the content of the national curriculum should be sent to DfE using its [contact form](#).

Complaints about the delivery of the curriculum are for schools to resolve through their complaints procedure. This includes:

- religious education (RE)
- sex and relationships education

The duty on local authorities to consider complaints of this nature was removed under section 45 of the Education Act 2011.

If a school's complaint procedure signposts complainants to the local authority to resolve these and other types of complaints, then governing bodies should seek confirmation from the local authority that they can include these details in their complaint procedure.

Complaints about collective worship

Complainants who are dissatisfied with the content of the daily act of collective worship (DACW) should be signposted to:

- the local authority
- the local Standing Advisory Council on Religious Education
- any other relevant body

Withdrawal from the curriculum

Parents and carers can withdraw their child from any aspect of RE, including the DACW. They do not have to explain why.

If parents or carers are not satisfied with the handling of a request to withdraw their child from RE or the DACW, schools should advise them to follow their complaints procedure.

The right of withdrawal does not apply to other areas of the curriculum where religious matters may be spontaneously raised by pupils or arise in other subjects such as history or citizenship.