

COMPLAINTS POLICY

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Definitions

For the purposes of this policy the following terms are used on the basis of the definitions provided below;

The “Trust” refers to the University Schools Trust as comprised of all academies within the University Schools Trust, the central offices and the separate legal entity.

The “UST” refers to the University Schools Trust aspect that is the separate legal entity, without reference to any of the individual sites that are within the University Schools Trust.

A “School” refers to the individual academies within the Trust. Depending on the context this may refer to a singular academy or to all of the academies within the Trust but as separate entities.

A “Parent” includes the natural or adoptive parent of a students as well as any non-parent / carer who has parental responsibility including being involved in the day to day care of a student.

A “Student” includes any incoming or current student at any School within the Trust. It also includes any individual who was previously a student at any School within the Trust and who has left within the timeframe of complaints.

The “Complainant” is the individual who is making the complaint

The “Headteacher” is defined as the individual who has ultimate responsibility for a school. Individual schools may have alternative titles such as Executive Headteacher. A list of roles can be found in Appendix 1.

A “Working Day” is defined as a weekday during term time when the School are open to students. As such this excludes staff training days, weekends, school holidays and bank holidays. Each School will have their own term dates that are made publically available through their website. For the purposes of the Trust a Working Day will be considered to be any day when at least one school is open for students.

A “Concern” is defined as an expression of worry or doubt over an issue considered to be important for which reassurances are sought, as defined by the Department for Education (DfE).

A “Complaint” is defined as an expression of dissatisfaction however made, about actions taken or a lack of action, as defined by the DfE.

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Scope of Policy

The Trust has adopted this procedure for complaints from people who are parents of students attending any of the academies at the time the complaint is made or who have left within the timeframe for complaints outlined below. The policy is also open to people who are parents of prospective students or from people who are accessing the services of the Trust at the time the complaint is made.

The Trust will usually also follow this procedure when dealing with complaints from others as well, but reserves the right to substitute this procedure for an alternative process where it is appropriate to do so. If it deemed appropriate to use an alternative process, then the complainants will be informed about the procedure that will be used as soon as possible after their complaint is received by the Trust.

This procedure does not apply to concerns and complaints relating to the following, which are dealt with under separate policies:

- Staff Grievances or Disciplinary Procedures
- Admissions
- Exclusions
- Issues Related to Child Protection
- Statements of SEND/EHC Plans

Where a complaint is made against a member of staff, depending upon the nature and seriousness of the complaint, the matter may be dealt with under separate HR procedures which are strictly confidential, rather than under this Complaints Policy.

All staff will be made aware of this complaints procedure and are expected to review this policy regularly in order that they are familiar with our process of dealing with complaints and can be of assistance when an issue is brought to their attention.

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Policy Aims and Ethos

The aims of this policy are;

- to allow individuals to raise a concern or complaint relating to the Trust, any of its Schools or the services that they provide.
- to ensure that a concern, difficulty or complaint is managed sympathetically and efficiently at the appropriate level and resolved as soon as possible.

Ensuring that these aims are met is good practice, fair to those concerned and helps to promote parents' and students' confidence in the Trust's ability to safeguard and promote welfare.

The Trust will try to resolve every concern, difficulty or complaint in a positive manner with the aim of putting right a matter which may have gone wrong and, where necessary, reviewing the Trust's systems and procedures in the light of the matters raised. The Trust will try to accomplish this by informal means wherever possible. Where this is not possible, formal procedures will be followed. The Trust will aim to give the complainant the opportunity to complete the complaints procedure in full.

When responding to complaints, we aim to;

- Be impartial and non-adversarial;
- Facilitate a full and fair investigation by an independent person or panel, where necessary;
- Address all the points at issue and provide an effective and prompt response;
- Respect complainants' desire for confidentiality;
- Treat complainants with respect;
- Keep complainants informed of the progress of the complaints process; and
- Consider how the complaint can feed into school improvement evaluation processes.

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

The Trust recognises that when a matter raised is not resolved quickly and fairly it is possible that this can become a cause of resentment, which can be damaging to the relationship between the Trust and the complainant, and can also have a detrimental effect upon the Trust's ethos and culture.

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Links to Legislation and Guidance Documents

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

The policy is also based upon guidance published by the Education and Skills Funding Agency (ESFA) on creating a complaints procedure that complies with the above regulations, and refers to good practice guidance on setting up complaints procedures from the Department for Education (DfE). This policy complies with our funding agreement and articles of association.

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 requirements.

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Roles and Responsibilities

Trust Board

The Trust Board;

- has responsibility for the content and review of this policy;
- has responsibility for ensuring that the policy is adhered to through delegated means;
- will ensure, through the Policy Compliance Lead (PCL), that the policy is compliant with the regulations set out in the section above and that it reflects any changes as and when they occur;
- will regularly review the nature and volume of complaints received by the Trust; and
- will participate in any complaints procedures as identified in the procedures found in appendix 3.

Local Governing Board (School only)

The Local Governing Board of each School;

- has responsibility for ensuring that the policy is adhered to within the individual Schools;
- will regularly review the nature and volume of complaints received by the School; and
- will participate in any complaints procedures as identified in the procedures found in appendix 3.

Executive Headteacher / Headteacher / CEO

The Executive Headteacher / Headteacher /CEO will;

- appoint a Designated Policy Lead / Policy Compliance Lead from among the senior staff;
- ensure that the requirements of this policy are adhered to; and
- ensure that all staff receive and have access to policies as required;

Policy Compliance Lead (PCL)

The PCL is a Trust member of staff and will, as part of their role;

- ensure that this policy is distributed to the individual locations;
- ensure that all Trust staff are aware of the policy (including further revised editions); and
- make all necessary amendments to the policy, or delegate equivalent actions, to ensure that it remains compliant with the aforementioned regulations.

Designated Policy Lead (DPL)

A DPL is a school based member of staff in each school and will, as part of their role;

- ensure an accurate copy of this policy is available to all staff;
- disseminate updates regarding this and associated policies in a timely manner; and
- provide advice and guidance regarding the development of policies at the school level.

All Trust Staff

All Trust Staff will ensure that any concerns or complaints are recorded in details and referred to the appropriate individuals as outlined within the procedures found in appendix 3.

Members of the Senior Leadership Team may also, on occasion, be asked to conduct investigations into complaints that are raised.

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Complaints about our fulfilment of requirements for Early Years

We will investigate all written complaints relating to the school’s fulfilment of the Early Years Foundation Stage 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.

Parents and carers can notify Ofsted if they believe that the school is not meeting Early Years Foundation Stage requirements, by calling 0300 123 4234 or 0300 123 4666, or by emailing enquiries@ofsted.gov.uk. An online contact form is also available at <https://www.gov.uk/government/organisations/ofsted#org-contacts>.

Vexatious Complaints

There are rare circumstances where we will elect to deviate from the Complaints Procedure set out in in appendix 3.

These occasions include, but are not necessarily limited to:

- where the complainant’s behaviour towards staff, Governors or Trustees is unacceptable, for example, is abusive, offensive or threatening;
- where, because of the frequency of their contact with the Trust/academy, the complainant is hindering the consideration of their or other people’s complaints and/or the proper running of the Trust/academy;
- where the complainant’s complaint is vexatious and/or has patently insufficient grounds; and
- where the complainant’s complaint is the same, similar to or based on the same facts of a complaint which has already been considered in full by the Trust.

In these circumstances, the Trust may:

- inform the complainant that their behaviour is unacceptable or unreasonably persistent and ask them to address it;
- restrict the complainant’s access to the Trust e.g. requesting contact in a particular form (for example, letters only), requiring contact to take place with a named person only, restricting telephone calls to specified days and times or banning the complainant from the Trust’s premises;
- conduct a Review Panel using the papers only i.e. not hold a hearing;
- refuse to consider the complaint and refer the complainant directly to Stage 4.

In all cases the Trust will write to tell the complainant why we believe his or her behaviour is unacceptable or unreasonably persistent, what action we are taking and the duration of that action. Where the behaviour is so extreme that it threatens the immediate safety and welfare of other individuals, we will consider other options, for example reporting the matter to the Police or taking legal action. In such cases, the Trust reserves the right to not give the complainant prior warning of that action.

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Appendix 1 – Key Members of Staff and Contact Details Referenced

Location	Policy Role	Title	Name
UST	CEO	Chief Executive Officer	Mr Grahame Price
RGTS	Headteacher	Headteacher	Dr Richard Marshall
SPWT	Headteacher	Executive Headteacher	Mr Philip Akerman

To raise a complaint please contact the relevant body using the following details

Location	Telephone	Email contact
UST / TRUST	0203 405 9340	info@ust.london
RGTS	0208 312 5480	Info@rgtrustschool.net
SPWT	0207 987 1883	admin@spwt.net

For other details for all Schools and the UST please see their individual website.

For St Pauls Way Trust School - <http://www.spwt.net/>

For Royal Greenwich Trust School - <https://rgts17.rgtrustschool.net/>

For the UST - <https://www.ust.london/>

Appendix 2 – Links to Legislation and Guidance Documents

Education (Independent School Standards) Regulations 2014

www.legislation.gov.uk/uksi/2014/3283/pdfs/uksi_20143283_en.pdf

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Appendix 3 – Procedures and Processes

Principles of Process

In order to investigate your complaint as fully as possible, the Trust has adopted a four staged system for addressing complaints;

- Stage 1 – Informal
- Stage 2 – Formal
- Stage 3 – Review Panel
- Stage 4 – ESFA

We anticipate that almost all complaints that arise will be resolved at through the processes in Stage 1 or Stage 2.

The details of each stage can be found further in this appendix or in the flow charts (appendix 4).

To enable a proper investigation, concerns or complaints should be brought to the attention of the Trust as soon as possible. In general, any matter raised more than 3 months after the event will not be considered. However, the Trust may make exceptions to this.

When investigating a complaint, we will try to clarify;

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

This process can be assisted through the use of the complaint form found in appendix 6.

If, at any stage, the Trust believes that the concern or complaint is vexatious, has insufficient grounds, has already been considered in full or has been closed, the Trust may write to you to refuse to consider the concern or complaint under this procedure and the reasons why they are refusing to do so. In this eventuality, the individual with the concern or complaint may proceed directly to Stage 4 of this procedure.

Anonymous concerns or complaints will not be investigated under this procedure unless there are exceptional circumstances.

If, at any point, it becomes necessary to alter the time limits and deadlines set out within this procedure, the complainant will be advised accordingly and given an explanation as to why this has been the case. Revised timescales will be provided at the earliest opportunity.

A written record will be kept of all complaints, including at what stage they were resolved. Correspondence, statements and records relating to individual complaints will be kept confidential by the Trust except where access is requested by the Secretary of State or where disclosure is required in the course of an inspection or under other legal authority.

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Please Note

If the complaint is against;

- the Headteacher of a School with the Trust;
- a Governor of a School within the Trust;
- the CEO of the Trust; or
- a Trustee.

then please refer to Part 2 of the procedure for amendments regarding where to direct complaints.

Part 1 - Raising a Complaint

Stage 1 – Informal

Many concerns can be resolved by simple clarification or the provision of information, wherever possible the Trust would seek to address these concerns through dialogue with the individual raising the concerns and, where necessary, wider.

Where a complaint is about the UST, it would be recommended to communicate directly via the UST office. This may be by email, letter, by telephone or in person by appointment, requested via the UST office (see appendix 1).

Where the complaint is about a member of staff, it is normally appropriate to communicate directly with them in the first instance. This may be by email, letter, by telephone or in person by appointment, requested via the School or UST office (see appendix 1).

Where a complaint concerns your child or a child attending a School within the Trust, it is recommended to communicate directly with the Pastoral Lead for their year group or an associated member of the Senior Leadership Team.

Where the complaint is about a member of Trust staff, it is normally appropriate to communicate directly with them in the first instance. This may be by email, letter, by telephone or in person by appointment, requested via the School or UST office (see appendix 1).

We value informal meetings and discussions and encourage parents to approach staff with any concerns they may have, and aim to resolve all issues with open dialogue and mutual understanding. If you wish to hold a meeting to discuss your concern or complaint, please explain the nature of your concern or the complaint in advance when contacting the school or use the Meeting Request Form provided (appendix 5). Upon receipt of a request regarding an informal complaint the Trust will acknowledge receipt and provide further details within 2 working days.

In the case of serious concerns, it may be appropriate to address them directly to the Headteacher of the School. If you are uncertain about who to contact, please seek advice from the Trust office.

It is anticipated that most complaints will be resolved by this informal stage within 15 working days of being notified of the complaint.

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Stage 2 – Formal

If your concern or complaint is not resolved to your satisfaction at the informal stage or you wish the complaint to be dealt with immediately as a formal complaint, you should put your complaint in writing within 10 days of the outcome of stage 1.

To assist in addressing the complaint in a timely manner your written complaint should include details that may aid the investigation, this may include;

- the nature of the complaint
- details of how the matter has been dealt with so far
- the names of potential witnesses
- dates and times of events and copies of all relevant documents.

It is very important that you include a clear statement of the actions that you would like the Trust to take to resolve your concern. You may wish to use the Complaint Form provided in appendix 6.

Your written complaint will be acknowledged within 5 working days of receipt.

You may be invited to a meeting to clarify your concerns and to explore the possibility of an informal resolution. If you accept that invitation, you may be accompanied by one other person such as a relative or friend, who should not be legally qualified, to assist you in explaining the nature of your concerns.

Where possible, this meeting will take place within 10 school days of receipt of the written complaint.

Where you decline the invitation to a meeting or the complaint cannot be resolved through a meeting arrangements will be made for the matter to be formally investigated.

If necessary, witnesses will be interviewed and statements taken from those involved. If the complaint centres on a student, the student should, where appropriate, also be interviewed. Students should normally be interviewed with their parent present, but if this would seriously delay the investigation of a serious or urgent complaint or if the student has specifically said that s/he would prefer that their parents were not involved, another member of staff with whom the student feels comfortable and is not involved in the complaint should be present.

If a member of staff is complained against, they must have the opportunity to present their case.

Once all the relevant facts have been established as far as possible, as the complainant, you will be provided with a written response to the complaint, including a full explanation of the decision.

In the case of a School this will be by the Headteacher.

In the case of the UST this will be taken by the CEO.

This will usually be complete within 20 working days of the investigation beginning.

This will include what action the Trust will take to resolve the complaint (if any). You will be advised that if you are dissatisfied with the outcome of the complaint, you may request that your complaint be heard by the Review Panel. This request must be made within 10 days of the outcome of stage 2.

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Stage 3 – Review Panel

If you are dissatisfied with the decision from stage 2, you may request that a Review Panel of the Trust is convened to reconsider your complaint. Your request will only be considered if you have completed the relevant procedures at Stages 1 and 2. To request a hearing by the Review Panel, you should write to the Chair of Governors in the case of a School complaint or the Chair of the Trust Board in the case of a UST complaint within 10 school days of receiving notice of the outcome of the Formal Stage.

You should ensure that you provide copies of all relevant documents and state all the grounds for your complaint and the outcome that you desire. You may wish to use the Complaint Review Request Form provided in appendix 7. Your request will be acknowledged in writing on behalf of the relevant Chair within 5 working days of receipt and will also contain information regarding how to make further communications regarding the Review Panel

The review will be conducted by a panel of at least 3 members.

In the case of a School Panel review the panel will consist of two governors and one other person who is independent of the management and running of the School or Trust.

In the case of a UST Panel Review the panel will consist of two Trustees and one other person who is independent of the management and running of the Trust or Schools within the Trust.

Every effort will be made to enable the hearing to take place within 20 school days of the receipt of your request. As soon as reasonably practical, and in any event at least 5 working days before the hearing, you will be sent written notification of the date, time and place of the hearing, together with brief details of the panel members who will be present.

Fair consideration will be given to any bona fide objection to a particular member of the Panel. Copies of any additional documents you wish the Panel to consider should be sent at least 3 days prior to the hearing. The Panel reserves the right not to consider any documentation presented after this.

A copy of the complaint and any other documents provided by you in support of your complaint, or by the Trust / School in defence of the complaint, will be provided to the Review Panel as soon as practicable upon receipt. Copies of these documents shall also be provided to you and the UST / School as applicable, at least 3 school days before the hearing.

The Review Panel is under no obligation to hear oral evidence from witnesses, but may do so and/or may take written statements into account.

You will be asked to attend the hearing and may be accompanied by one other person such as a relative or friend, who should not be legally qualified. Another individual, usually a Clerk, Company Secretary or nominated deputy will also attend the hearing in order to keep a record of the proceedings, findings and recommendations. These will be made available for inspection, on the school premises, by the proprietor and the Headteacher.

The Review Panel will be conducted in such a way as to ensure that all those present have the opportunity of asking questions and making comments in an appropriate manner.

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Review Panel Process

Unless otherwise stated, the procedure for an appeal is as follows:

1. the complainant and Trust representative (usually the Headteacher or CEO) will enter the hearing together
2. the Chair of the Review Panel will introduce the panel members and outline the process
3. the complainant will explain the complaint
4. the Trust representative and committee members will question the complainant
5. the Trust representative will explain the UST / School’s actions
6. the complainant and the committee members will question the Trust representative
7. the complainant will sum up their complaint
8. the Trust’s representative will sum up the UST / School’s actions
9. the Chair of the panel will explain that both parties will hear from the committee within 5 working days
10. both parties will leave together while the panel decides
11. the Clerk, or nominated deputy, will stay to assist the panel with its decision making

After the hearing, the Panel; will consider their decision and inform you and the Trust of their decision in writing within 5 working days. The letter will set out the decision of the committee together with the reasons underpinning that decision. The Panel can:

- a) Request further information from you and/or the Trust to assist them in making their decision
- b) Dismiss the complaint in whole or in part
- c) Uphold the complaint in whole or in part
- d) Decide on the appropriate action to be taken to resolve the complaint
- e) Recommend changes to the Trust / School’s systems or procedures to ensure that problems of a similar nature do not reoccur

Stage 4 – ESFA

If you are dissatisfied with the decision of the Review Panel, you are entitled to refer your complaint to the Education Funding Agency who have limited powers to review the academy’s handling of the complaint in accordance with ESFA’s ‘Procedure for dealing with complaints about Academies’.

At the time of writing this procedure, the ESFA procedure and the ESFA school complaints form are available at www.education.gov.uk/schools/leadership/schoolperformance/b00212240/making-complaint-school

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Part 2 – Complaint against a Headteacher / Executive Headteacher, Governor, CEO or Trustee

The same process as outlined in Part 1 will be followed with the following exceptions:

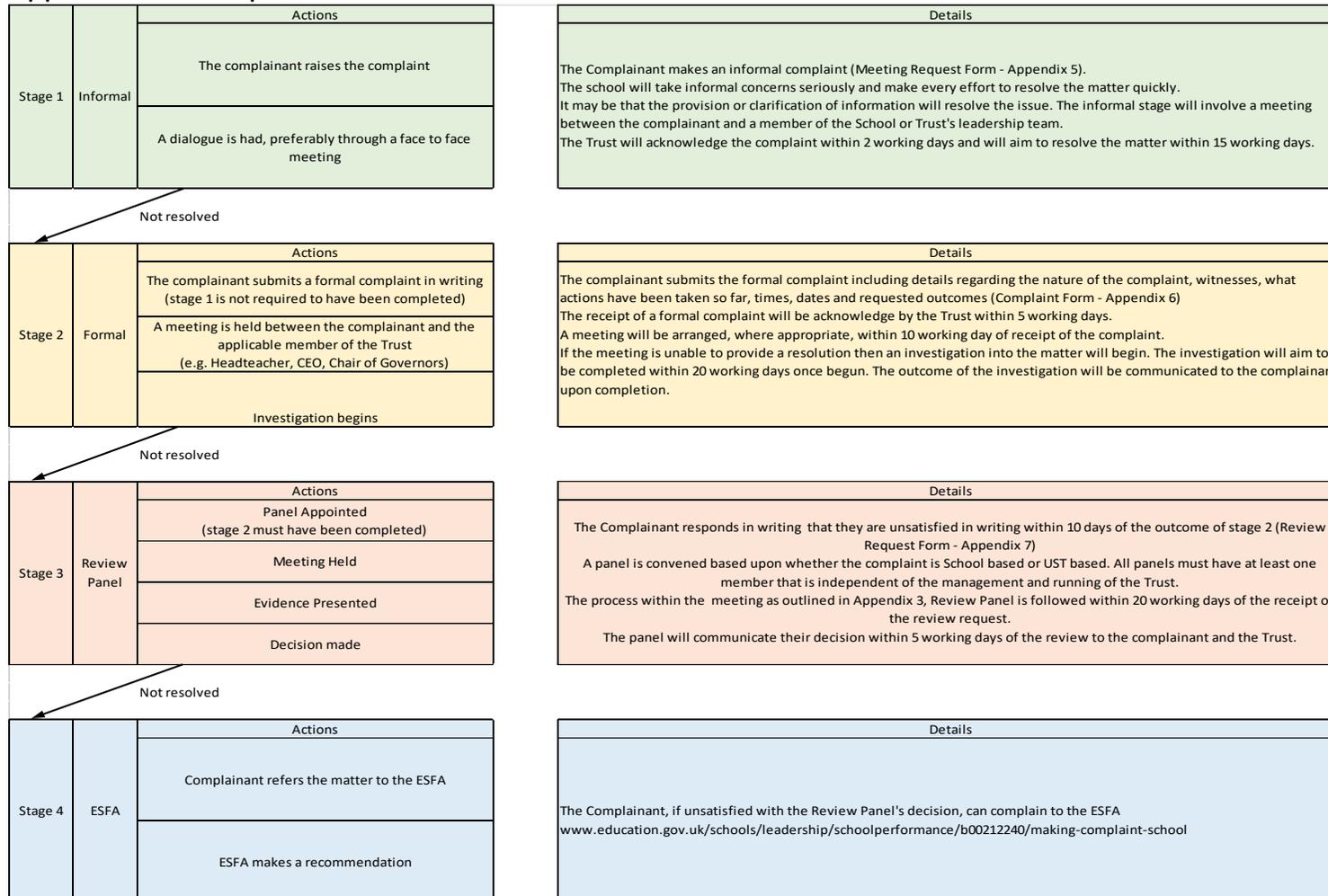
- In the case of a complaint against the Headteacher or a Local Governor of a School the complaint should be directed to the Chair of the Local Governing Body.
- In the case of a complaint against a Local Governing Body as a whole the complaint should be directed to the Chair of the Board.
- In the case of a complaint against the Chair of the Local Governing Body the complaint should be directed to the Vice Chair of the Local Governing Body.
- In the case of a complaint against the CEO or a Trustee of the Trust the complaint should be directed to the Chair of the Board.
- In the case of a complaint against the Chair of the Board the complaint should be directed to the Vice Chair of the Board.

For all of the above cases the contact details as shown in appendix 1 remain the same.

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Appendix 4 – Complaints Flow Chart



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Appendix 5 – Meeting Request Form

Name of School	
Person you wish to meet	
To discuss the following	
Details regarding the topic for discussion	
Date and times when it would be convenient to meet	
Your name	
Relationship with the Trust / School	
Student's name (if applicable)	
Address	
Telephone Numbers	
Email Address	
Signature	
Date	
Please submit this form to the UST or School Office	
Admin Use	
Date form received	
Received by	
Date response sent	
Response sent by	

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Appendix 6 – Complaints Form

Name of School	
Your name	
Relationship with the Trust / School	
Student's name (if applicable)	
Address	
Telephone Numbers	
Email Address	
<p>Please give concise details of your complaint. Please include;</p> <p>The nature of the complaint The actions taken so far The names of any witnesses The relevant dates and times The outcome you are seeking</p> <p>(Please attach additional sheets if required and indicate the number of additional sheets submitted)</p>	
Signature	
Date	
Please submit this form to the UST or School Office	
Admin Use	
Date form received	
Received by	
Date response sent	
Response sent by	

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What actions do you feel might resolve the problem at this stage?	
Please submit this form to the UST or School Office	
Admin Use	
Date form received	
Received by	
Date response sent	
Response sent by	
Complaint referred to	
Date complaint referred	
Request referred to	
Date request referred to	

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Approval Signature

Signature of (enter position e.g. Chair) _____

Print name _____

Date _____

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