



# Complaints Policy and Procedure

Approved by	CEO	Date Approved	3 April 2025
Review cycle	Annual	Date of next review	28 March 26

Version	Author	Date	Changes
1.0	A Morgan	July 2023	Based on SCC Model policy. Updated with DfE contact details
2.0	A. Morgan	July 2024	Updated to include the option for the parents to request a remote meeting.
2.1	A. Morgan	Nov 24	Updated to include complaints retention information
2.2	A. Morgan	Mar. 25	<ul style="list-style-type: none"> <li>• 3.1 – Change under “Who can make a complaint section?” in accordance with DfE guidance</li> <li>• 3.14 –added “school” days on the flowchart.</li> <li>• 3.15 &amp; 3.16 – Inserted timescale for Stage 1 &amp; Stage 2.</li> <li>• 3.17 – Clarifications on procedure for Stage 3.</li> <li>• 3.22 – Addition to roles and responsibilities of complainant.</li> <li>• 3.24 &amp; 3.25 – Contact details updated.</li> </ul>

## Contents

1. Aims .....	2
2. Legislation and guidance.....	2
3. Procedure.....	2
3.1 Who can make a complaint? .....	2
3.2 The difference between a concern and a complaint.....	3
3.3 How to raise a concern or make a complaint.....	3
3.4 Anonymous complaints .....	3
3.5 Timescales for raising a complaint .....	4
3.6 Complaints received outside of term time.....	4
3.7 Audio or video evidence .....	4
3.8 Deviation from the procedure.....	4
3.9 Scope of this complaints’ procedure .....	5
3.10 Resolving complaints .....	6
3.11 Withdrawal of a complaint .....	6
3.12 Concerns and informal complaints.....	6
3.13 Formal complaints .....	7
3.14 Summary of timeline for formal complaints .....	7
3.15 Stage 1 – Headteacher investigation.....	8
3.16 Stage 2 – Governor investigation .....	9
3.17 Stage 3 – Panel Hearing .....	10
3.18 Complaints about governors .....	14

3.19	Complaints escalated to / about the Trust, CEO or Trustee.....	14
3.20	Next Steps.....	15
3.21	Retention of Complaint Documentation .....	15
3.22	Roles and Responsibilities .....	16
3.23	Procedure for managing serial and unreasonable complaints.....	17
3.24	Procedure for managing complaint campaigns.....	18
3.25	Appendix A – School and Trust contact details .....	19
3.26	Appendix B – Complaint form .....	21

## 1. Aims

At Enlighten Learning Trust we value integrity and trust. We work together, share our experiences, and learn from each other to benefit the children in our care. This complaints policy ensures that all concerns are handled openly, respectfully, and collaboratively. By following these principles, we aim to improve our practices and provide a supportive and nurturing environment for our pupils. We try to resolve complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

## 2. Legislation and guidance

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

It is also based on [best practice guidance for academies complaints procedures](#) published by the Education and Skills Funding Agency (ESFA).

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

It also refers to [good practice guidance on setting up complaints procedures](#) from the Department for Education (DfE).

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.

## 3. Procedure

### 3.1 Who can make a complaint?

This complain only applies to complaints from parents/carers of pupils at this school, regarding their child.

Complaints from people who are not parents/carers of a child at the school will be dealt with respectfully and expediently, however there is no obligation to follow the full procedure.

Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

### **3.2 The difference between a concern and a complaint**

A concern may be defined as *'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'*.

A complaint may be defined as *'an expression of dissatisfaction however made, about actions taken or a lack of action'*.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints' procedure. Enlighten Learning Trust takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, you will be referred to an appropriate alternative staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, you will be referred to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Enlighten Learning Trust will attempt to resolve the issue internally, through the stages outlined within this complaints' procedure.

### **3.3 How to raise a concern or make a complaint**

A concern can be raised in person, in writing or by telephone. They may also be made by a third party acting on behalf of the person with the concern, as long as they have appropriate consent to do so. Concerns should be raised with either the class teacher or headteacher.

If the issue remains unresolved, the next step is to make a formal complaint, using the Complaint form (Appendix B). If you require assistance with completing the form, please contact the school office.

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 a later stage of the procedure.

A template complaint form is included at the end of this procedure, for use at any stage of the procedure as required. If you require help in completing the form, please contact the school office. You can also ask a third-party organisation such as 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 or holding meetings in accessible locations.

### **3.4 Anonymous complaints**

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

### **3.5 Timescales for raising a complaint**

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame only if exceptional circumstances apply.

### **3.6 Complaints received outside of term time**

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

### **3.7 Audio or video evidence**

Complainants should make sure they obtain informed consent from all parties present before recording conversations or meetings. In line with DfE guidance, we do not normally accept electronic recordings as evidence when we are asked to consider a complaint. Unless exceptional circumstances apply, we will not accept, as evidence, recordings of conversations that were obtained covertly and without informed consent of all parties being recorded.

### **3.8 Deviation from the procedure**

There may be occasions when it's necessary or reasonable to deviate from the published complaints procedure. In these cases, the complainant will be kept informed and reasons for the deviation given.

### 3.9 Scope of this complaints' procedure

This procedure covers all complaints about any provision of community facilities or services by Enlighten Learning Trust, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
<ul style="list-style-type: none"> <li>Admissions to schools</li> </ul>	<p>Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority.</p>
<ul style="list-style-type: none"> <li>Matters likely to require a Child Protection Investigation</li> </ul>	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the Local Authority Designated Officer (LADO) who has local responsibility for safeguarding or the Surrey Children’s Single Point of Access (C-SPA) on 0300 470 9100.</p>
<ul style="list-style-type: none"> <li>Exclusion of children from school*</li> </ul>	<p>Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a>.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school’s complaints procedure. The behaviour policy can be found on the school’s website.</i></p>
<ul style="list-style-type: none"> <li>Whistleblowing</li> </ul>	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</p> <p>Volunteer staff who have concerns about our school should complain through the school’s complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> <li>Staff grievances</li> </ul>	<p>Complaints from staff will be dealt with under the school’s internal grievance procedures.</p>
<ul style="list-style-type: none"> <li>Staff conduct</li> </ul>	<p>Complaints about staff will be dealt with under the school’s internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> <li>Complaints about services provided by other providers who may use school premises or facilities</li> </ul>	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this

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 Enlighten Learning Trust in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

### **3.10 Resolving complaints**

At each stage in the procedure, Enlighten Learning Trust wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained about 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.

In addition, mediation can provide a helpful mechanism for discussion when a complaint is raised and can help to rebuild the relationship between parties once all of the investigative stages of the complaints' procedure have been complete.

### **3.11 Withdrawal of a complaint**

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

### **3.12 Concerns and informal complaints**

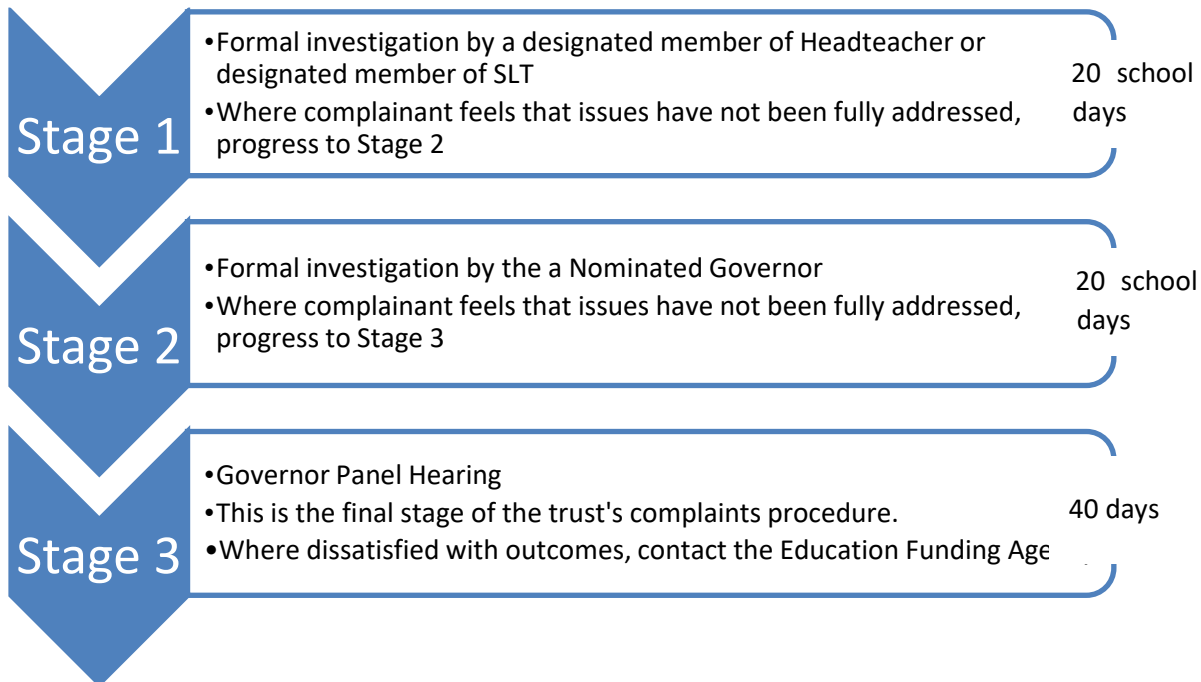
It is to be hoped that most concerns can be expressed and resolved on an informal basis, within 10 school working days.

Concerns should be raised with either the class teacher, year head/subject head or Headteacher. 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 a later stage of the procedure.

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

### 3.13 Formal complaints

### 3.14 Summary of timeline for formal complaints



#### Stage 1 Headteacher Investigation

- Acknowledgement of receipt of complaint to be sent within 3 days of receipt of the complaint.
- Complaint to be investigated and written response to be received by complainant within 20 school days of receipt of the formal complaint.

#### Stage 2 Governor Investigation

- If the complainant believes that their complaint has not been fully addressed at stage 1, they may request to move to stage 2. This request must be made within 10 days of the receipt of the outcome letter at stage 1.
- Acknowledgement of receipt of complaint to be sent within 3 days of receipt of the complaint.
- Complaint to be investigated and written response to be received by complainant within 20 school days of receipt of the stage 2 formal complaint.

#### Stage 3 Governor Panel Hearing

- If the complainant believes that their complaint has not been fully addressed at stage 2, they may request to move to stage 3. This request must be made within 10 days of the receipt of the outcome letter at stage 2.
- Acknowledgement of receipt of request to escalate complaint to stage 3 to be sent within 5 days.
- Hearing to be held within 30 days of receipt of request to go to stage 3.
- Paperwork for Stage 3 hearing to be received from all parties at least 10 days before the hearing.
- Paperwork for Stage 3 hearing to be sent to all parties at least 5 days before the hearing.
- Outcome letter from panel to be received by complainant within 10 days of the hearing.

Note: In all cases, timescales refer to school days so exclude weekends, school holidays and INSET days bank holidays. Any complaints made outside of term time will be considered to have been received on the first school working day after the holiday period.

There may be times when the investigation takes longer than the timescales outlined in this policy. Where this is the case, we will keep the complainant informed of the revised timescales and the reasons for this.



### 3.15 Stage 1 – Headteacher investigation

Formal complaints must be made to the Headteacher (unless they are about the Headteacher), via the school office. This may be done in person or in writing (preferably on the Complaint Form (see Appendix A for the contact details of the Headteacher, and Appendix B for a copy of the form). The form is useful as it ensures that relevant information is communicated at the outset.

The Headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within **3 school days**.

Within this response, the Headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Headteacher can consider whether a face to face meeting is the most appropriate way of doing this.

*Note: The Headteacher 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 investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the Headteacher will provide a formal written response within 20 school days of the date of receipt of the complaint.

If the Headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Enlighten Learning Trust will take to resolve the complaint.

The Headteacher will advise the complainant of how to escalate their complaint if they believe it has not been fully addressed at this stage.

If the complaint is about the Headteacher, or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 2.

Complaints about the Headteacher or member of the governing body must be made to the Clerk, via the school office.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

The complaint will move to Stage 2 and will be considered by an independent investigator appointed by the governing body. At the conclusion of their investigation, the independent investigator will provide a formal written response to the complainant with a copy to the Headteacher.

### 3.16 Stage 2 – Governor investigation

If the complainant believes that their complaint has not been fully addressed at Stage 1, they may request a Governor investigation. This should be done in writing (preferably on the Complaint Form (see Appendix A for the contact details of the Chair of Governors, and Appendix B for a copy of the form).

The Chair of Governors may choose to delegate the investigation of the complaint to a Nominated Governor who may, at the sole discretion of the Chair of Governors, be independent of the school. The investigating governor will have had no prior involvement in the complaint.

Receipt of the complaint form will be acknowledged. In most cases the complainant will be invited to meet with the Chair of Governors/ Nominated Governor at the outset of the process. The aim of this meeting is to enable the Chair of Governors/ Nominated Governor to understand the scope of the complaint and desired outcomes prior to commencing their investigation.

The Chair of Governors/Nominated Governor will consider all relevant evidence; this may include but is not limited to:

- evidence and outcome from Stage 1 investigation if applicable
- a statement from the complainant
- where relevant a meeting with/statement from an individual who is the subject of the complaint
- any previous correspondence regarding the complaint
- any supporting documents from all parties
- interviews with /statements from anyone related to the complaint
- relevant policies and whether they were followed.

After considering the available evidence, the Chair of Governors/Nominated Governor may:

- uphold the complaint and direct that certain action be taken to resolve it
- not uphold the complaint and provide the complainant with details of the Stage 3 complaint review process
- uphold the complaint in part: in other words, the Chair of Governors/Nominated Governor may find one aspect of the complaint to be valid, but not another aspect. They may recommend certain action to be taken to resolve any aspect that they find in favour of the complainant.

The Chair of Governors/Nominated Governor should inform the complainant of their decision in writing **within 20 school days of receipt of the complaint**. They should explain clearly why they have come to the decision that they made. They should detail any agreed actions as a result of the complaint. Finally, they should provide the complainant with details of how to progress the complaint to Stage 3 if they believe their complaint has not been fully addressed, providing them with the contact details of the Clerk to the Governing Body (Appendix A). Should the complaint not be resolved mediation should be considered. This can be arranged through the Area Schools Support Service and will be impartial and objective.

### 3.17 Stage 3 – Panel Hearing

If the complainant does not believe that their complaint has been fully addressed at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3. This consists of a Panel hearing with at least three governors who were not directly involved in the matters detailed in the complaint or any previous investigation.

One of the Complaint Panel members will be independent of the management and running of the Academy Trust. This means that the independent Complaint Panel member will not be a Trustee or an employee of the Trust.

Complainants can request an independent complaints committee if they believe there is likely to be bias in the proceedings. They should provide evidence of bias in support of their request, as it is the panel's decision whether to agree to it. If the appearance of bias is sufficient to taint the decision reached, then it is recommended that the panel grants such requests.

This is the final stage of the Trust's complaints procedure.

#### Timeline

A request to escalate to Stage 3 must be made to the Clerk, via the school office, within **10 school days** of receipt of the Stage 2 response. Requests received outside of this time frame will only be considered if exceptional circumstances apply and are explained to the Clerk at the same time that the request for a Stage 3 hearing is made.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within **3 school days**.

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within **30 school days** of receipt of the Stage 3 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the Panel determines that all reasonable efforts to identify a mutually convenient date have been exhausted, they may proceed to hold the meeting in private. In this case the Panel will meet with the Clerk and Area Schools Officer in attendance (but without the complainant or school representatives) and consider the complaint on the basis of written submissions from both parties.

At least **15 school days** before the meeting, the Clerk will:

- confirm and notify both parties of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible and
- inform both parties that copies of any further written material should be submitted to the clerk at least **10 school days** before the meeting. Any evidence submitted after this, including on the day of the hearing, will only be considered in exceptional circumstances with the agreement of the panel, whose decision is final.

Any written material will be collated and circulated by the clerk to all parties so that it is received at least **5 school days** before the date of the meeting. The Panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

**Attendees at the meeting**

The Clerk will invite the following parties as applicable:

- a panel of three governors, one or more of whom is independent of the Trust
- the complainant
- the Headteacher and/or Executive Headteacher
- Member of SLT who dealt with the complaint at Stage 2, if not the Headteacher
- the Chair of Governors/Nominated Governor who dealt with the complaint at Stage 2
- relevant witnesses
- Area Schools Support Service representative (procedural advice)

**Additional attendees**

The complainant may ask to be accompanied to the meeting by a supportive companion, interpreter or advocate. It is not advisable for this person to be a member of the school community, for reasons of confidentiality and to avoid conflict of interest. The complainant must advise the Clerk to the Complaint Review Panel of the name and role of this additional person prior to the hearing, and the Clerk will seek agreement from the chair of the Panel. If the additional person is attending as an advocate, they will be presenting the complainant's case and speaking on their behalf, and therefore the complainant will not be able to address the Panel directly. If the additional person is attending as a supportive companion, they will not be able to address the Panel directly.

The complainant may request the panel to be held via the use of remote access, but this should not be a default option.

If the attendance of any pupils is required at the hearing, parental permission will be sought if the pupil is under the age of 18. Extra care will be taken to consider the vulnerability of children where they are present at a complaints hearing. The Panel should respect the views of the child/young person and give them equal consideration to those of adults. If the child/young person is the complainant, the Panel should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the Panel should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend. However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the Panel considers is not in the child/young person's best interests. The welfare of the child/young person is paramount.

Either party may make a request to the Panel for a witness to attend for a section of the meeting. It is the expectation that witnesses will have provided an account to the investigator at an earlier stage of the complaint and therefore the attendance of witnesses in person. is likely to be necessary only in rare circumstances in order to clarify aspects of their previously given statements. The Panel will consider each request on a case-by-case basis.

As this is not a legal process, neither party may bring legal representation with them except in exceptional circumstances, by prior agreement of the panel.

Representatives from the media are not permitted to attend.

**Scope of the meeting**

The Panel will:

- Consider those aspects of the complaint which the complainant believes have not been fully addressed at the previous stages in the complaints procedure and/or where the complainant believes that the school has not followed its complaints policy.
- Consider the effectiveness of the investigation process at Stage 1 and 2
- Consider ways to resolve the complaint and, if possible, 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. Financial compensation is not a possible outcome of the process.

The panel hearing will consider the complaint as was submitted at stage 1 and 2. Any new issues will need to be dealt with by a separate complaint procedure.

The Panel will not only consider the handling of the complaint at the previous stages, but will also consider those aspects of the original complaint which the complainant believes have not been fully addressed.

### **Procedure for the meeting**

The meeting is confidential. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or additional needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations are recorded. Consent will be recorded in any minutes taken.

There may be occasions when the Panel determines that it is appropriate for the meeting to be held virtually. This can be requested by any party via the Clerk, the Panel will consider the request on a case-by-case basis.

The format of the meeting is that the complainant is given a set amount of time to make their case. The Panel and the school may then ask the complainant questions for clarification. The school then has the same amount of time to make their case. The Panel and complainant then have the opportunity to seek clarification from the school. Both parties then leave the meeting and the Panel will deliberate.

Alternative procedure – there may be rare occasions when it is not appropriate for the complainant and school representatives to be in the same room. In these cases the complainant and school representatives will state their case to the Panel separately and then remain available to answer any questions which arise. This procedure can be requested by any party via the Clerk, the Panel will consider the request on a case-by-case basis.

The Panel will consider the complaint and all the evidence presented and will come to their decisions on the balance of probabilities. The Panel can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part
- determine that all or part of the complaint is out of their scope to consider.

If the complaint is upheld in whole or in part, the Panel will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar

issues in the future.

The Chair of the Panel will provide the complainant and Enlighten Learning Trust with a full explanation of their decision and the reason(s) for it, in writing, and a copy of the minutes of the Panel hearing, within 10 school days.

The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) if they believe that their complaint has been handled unreasonably or unlawfully by Enlighten Learning Trust.

The 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 Enlighten Learning Trust will take to resolve the complaint.

The Panel will ensure that those findings and recommendations are sent by post, electronic mail or otherwise given to the complainant and, where relevant, the person complained about, with a copy to the Headteacher.

### 3.18 Complaints about governors

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

Stage 3 will be heard by a committee of trustees and an independent panel member.

### 3.19 Complaints escalated to / about the Trust, CEO or Trustee

If a complaint is escalated to Enlighten Learning Trust “the Trust” or if a complainant wishes to complain directly about the Trust, then the complaint should be sent to the CEO to be investigated.

The CEO will write to the complainant acknowledging the complaint within **3 school days** of the date that the written request was received. The acknowledgement will confirm that the complaint will now be investigated under Stage 2 of this Complaints Policy and will confirm the date for providing a response to the complainant.

Following the investigation, the CEO will write to the complainant confirming the outcome within **20 school days** of the date that the letter was received. If this time limit cannot be met, the CEO will write to the Complainant explaining the reason for the delay and providing a revised date.

If the complaint concerns the CEO or a Trustee, the complaint should be investigated by the Chair of the Trust Board. If a formal complaint form is received about the Chair, the complaint will be referred to the Vice Chair for investigation.

NB. Where the 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 CEO.

If the complainant is not satisfied with the outcome of the previous stage, the complainant should write to the Clerk to the Trust Board asking for the complaint to be heard before a Complaint Panel, within 10 school days. The procedure will mirror that outlined under Stage 3 – Panel Hearing above.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire trust board or
- the majority of the trust board

the complaint will be heard by a completely independent panel.

### 3.20 Next Steps

If the complainant believes the school / trust did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the ESFA after they have completed Stage 3.

The DfE will not normally reinvestigate the substance of complaints or overturn any decisions made by Enlighten Learning Trust. They will consider whether the school and/or has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed [Part 7 of the Education \(Independent School Standards\) Regulations 2014](#).

The complainant can refer their complaint to the ESFA online at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus), by telephone on: 0370 000 2288 or by writing to:

Academy Complaints and Customer Insight Unit  
Education    and    Skills    Funding    Agency  
Cheylesmore House  
5 Quinton Road  
Coventry  
CV1 2WT

### 3.21 Retention of Complaint Documentation

Complaint documentation must be kept for 3 years from the date the complaint was resolved and then be reviewed (retention guidance might have changed since complaint resolved).

If the complaint relates to negligence or safeguarding, then documentation must be kept from the date the complaint was resolved + 15 years.

If the complaint relates to child sexual abuse, then documentation must be kept from the date the complaint was resolved + 75 years (this retention period will be reviewed once the government and the ICO have issued guidance about the implementation of the IICSA recommendations)



### 3.22 Roles and Responsibilities

#### Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- Provide all supporting evidence to investigators at earliest opportunity.
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

#### Investigator

The investigator's role is to provide a comprehensive, open, transparent and fair consideration of the complaint through:

- sensitive and thorough discussion with the complainant to establish their perspective and desired outcomes
- interviewing staff and other people relevant to the complaint
- consideration of records and other relevant information
- analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

#### Clerk to the Stage 3 Panel Hearing

The Clerk is the contact point for the complainant and the Panel and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings by way of taking notes
- circulate the minutes of the meeting
- notify all parties of the Panel's decision.

#### Panel Chair

The Panel's chair, who is nominated in advance of the complaint meeting, will ensure that the meeting is conducted in line with the complaints procedure and best practice principles.

#### Panel Members

Panel members should be aware that:

- The meeting must be independent and impartial, and should be seen to be so
- No governor / trustee may sit on the Panel if they have had a prior involvement in the complaint or in the circumstances surrounding it
- They should read all documentation and understand the aims and purpose of the meeting.

### 3.23 Procedure for managing serial and unreasonable complaints

Enlighten Learning Trust is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with our school. 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.

Enlighten Learning Trust defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to co-operate with the complaints investigation process
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- 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 issues, and seeks to have them replaced
- changes the basis of the complaint as the investigation proceeds
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the school that relates to their complaint, 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.

Whenever possible, the Headteacher or Chair of Governors will discuss any concerns with the complainant informally before determining that they may be acting "unreasonably".

If the behaviour continues, the Headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact any school within Enlighten Learning Trust causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from any school within Enlighten Learning Trust.

**3.24 Procedure for managing complaint campaigns**

In the rare event that the school receives a large volume of complaints all based on the same subject, from complainants unconnected with the school, we will either send a template response to all complainants or publish a single response on the school’s website.

**Area Schools Support Service**

The role of the Area Schools Support Service is to provide impartial advice and guidance to school staff, governors and complainants at all stages of the complaints process.

<p><b>West Surrey Area Schools Officers</b></p>	<p>Kate Charles – 07792 587096 – <a href="mailto:kate.charles@surreycc.gov.uk">kate.charles@surreycc.gov.uk</a>            Cara Harding – 07968 834131 – <a href="mailto:cara.harding@surreycc.gov.uk">cara.harding@surreycc.gov.uk</a></p>
<p><b>East Surrey Area Schools Officers</b></p>	<p>Ann Panton – 07976 924186 – <a href="mailto:ann.panton@surreycc.gov.uk">ann.panton@surreycc.gov.uk</a>            Adelina (Addy) Mason - 07814 804432 – <a href="mailto:adelina.mason@surreycc.gov.uk">adelina.mason@surreycc.gov.uk</a></p>
<p><b>Team Email</b></p>	<p><a href="mailto:school.relationships@surreycc.gov.uk">school.relationships@surreycc.gov.uk</a></p>


### 3.25 Appendix A – School and Trust contact details

#### **Esher C of E High School**

More Lane

Esher

KT10 8AP

Tel: 01372 468068

General school email: [office@esherhigh.surrey.sch.uk](mailto:office@esherhigh.surrey.sch.uk)

Headteacher: [head@esherhigh.surrey.sch.uk](mailto:head@esherhigh.surrey.sch.uk)

Chair of Governors: [dmason@enlightenlt.education](mailto:dmason@enlightenlt.education)

Clerk to the Local Governing Body: [esalter@esherhigh.surrey.sch.uk](mailto:esalter@esherhigh.surrey.sch.uk)

#### **St Andrew's C of E Primary School**

Lockhart Road

Cobham

KT11 2AX

Tel: 01932 863452

General school email: [office@standrews-primary.surrey.sch.uk](mailto:office@standrews-primary.surrey.sch.uk)

Headteacher: [admin@standrews-primary.surrey.sch.uk](mailto:admin@standrews-primary.surrey.sch.uk)

Chair of Governors: [lshaw@enlightenlt.education](mailto:lshaw@enlightenlt.education)/[seklo@enlightenlt.education](mailto:seklo@enlightenlt.education)

Clerk to the Local Governing Body: [jdutton@enlightenlt.education](mailto:jdutton@enlightenlt.education)

#### **St Martin's C of E Infant School**

Worple Road

Epsom

Surrey

KT18 7AA

#### **St Martin's C of E Infant School**

Ashley Road

Epsom

Surrey

KT18 7AD

Single contact details for both schools:

Tel. 01372 846930

General school email: [office@smartinsepsom.school](mailto:office@smartinsepsom.school) or [concerns@smartinsepsom.school](mailto:concerns@smartinsepsom.school)

Headteacher: [office@smartinsepsom.school](mailto:office@smartinsepsom.school) or [concerns@smartinsepsom.school](mailto:concerns@smartinsepsom.school)

Chair of Governors: [chairofgovernors@smartinsepsom.school](mailto:chairofgovernors@smartinsepsom.school)

Clerk to the Local Governing Body: [clerk@smartinsepsom.school](mailto:clerk@smartinsepsom.school)

#### **The Priory School**

64 West Bank

Dorking

RH4 3DG

Tel: 01306 887337

General school email: [enquiries@priorycofe.com](mailto:enquiries@priorycofe.com)  
Headteacher: @priorycofe.com  
Chair of Governors: @priorycofe.com  
Clerk to the Local Governing Body: [clerk@priorycofe.com](mailto:clerk@priorycofe.com)

**Enlighten Learning Trust**

Lockhart Road  
Cobham  
Surrey  
KT11 2AX

Tel: 01372 468068  
Chief Executive Officer/Executive Headteacher: [ceo@enlightenlt.education](mailto:ceo@enlightenlt.education)  
Chair of Trustees: [hcoulson@enlightenlt.education](mailto:hcoulson@enlightenlt.education)  
Clerk to the Trustees: [amorgan@enlightenlt.education](mailto:amorgan@enlightenlt.education)

### 3.26 Appendix B – Complaint form

Please complete and return to the Headteacher for Stage 1, or Clerk for Stages 2 and 3, who will acknowledge receipt and explain what action will be taken.

<b>Your name:</b>		
<b>Pupil's name (if relevant):</b>		
<b>Your relationship to the pupil (if relevant):</b>		
<b>Contact details:</b>		
<b>Please give details of your complaint (adding extra pages if necessary):</b>		
No.	Details of issue	What action has been taken to resolve the matter and by whom?
1		
2		
3		
etc		

**What actions do you feel might resolve the problem at this stage?**

**Are you attaching any paperwork? If so, please give details.**

**Signature:**

**Date:**

**Official use**

**Date acknowledgement sent:**

**By who:**

**Complaint referred to:**

**Action taken:**

**Date:**