Riviera Education Trust

'Inspiring the individuals of today, for a better society tomorrow,

"Aspire, Belong, Collaborate"

COMPLAINTS PROCEDURE POLICY

Review Frequency	Annual
Reviewed	September 2026
Next Review	September 2027
Agreed by Trustees	2nd October 2026

Introduction

Within our Trust, we value our relationship with parents, carers and our local community. We are happy to receive suggestions and comments on what goes on within our academies. This can help us to identify areas of success and where we can make improvements. We believe it is important that anyone who raises a concern is treated seriously and that their concerns and complaints are dealt with fairly. Usually, concerns can be dealt with informally and can be resolved satisfactorily through discussion. Occasionally, a concern cannot be resolved in this way and it may become a complaint.

When someone raises an issue with a member of staff, a governor, a Trustee, or the clerk to the local standards board, it may be easily resolved by the person contacted. Sometimes, this will not be possible and they will refer the matter to someone else. Before doing so, some details will be recorded about the concern and the person raising it (name, nature of the concern, date, contact address or phone number). An idea will be given of when a response can be expected. The day to day running of the school is the Head of School's responsibility, so all concerns about this will be referred to the Head of School.

Every effort will be made to resolve the matter informally. However, if this is not possible the person may wish to take the matter further. The person (from this point referred to as the complainant) should be given clear information about how to proceed along with a copy of the Trust's complaints procedure.

The local standards board of an academy is required, under Section 29 Part 1 of the Education Act 2002, to have in place a procedure for dealing with complaints. The school's complaints procedure is for parents, carers and members of the public to use to make complaints about the academy or the local standards board. It is expected that all complaints will be referred to the school in the first instance.

In this policy, an academy will be referred to as the school.
In this policy working days will mean school days where pupils are required to attend

This policy aims to:

- Encourage the resolution of concerns and complaints by informal means wherever possible
- Ensure that concerns are dealt with quickly, fully and fairly and within defined time limits where possible
- Provide effective and appropriate responses to concerns and complaints
- Maintain good working relationships between the academy and all those involved

COMPLAINTS RELATING TO THE EARLY YEARS FOUNDATION STAGE

- Where a written complaint relates to the Trust's fulfilment of the statutory EYFS requirements, the complaint will be investigated and the complainant notified of the outcome within 28 days of receipt.
- A written record will be retained of complaints relating to the EYFS and their outcomes and made available to Ofsted on request.
- Parents/carers will also be provided with details of how to contact Ofsted if they believe the statutory EYFS requirements are not being met.

THE STAGES OF THE COMPLAINT PROCESS

Stage 1: Informal Complaints

1. Concerns:
Most concerns, where a complainant seeks intervention, reconsideration or some other action to be taken, can be resolved informally. Examples might include dissatisfaction about some aspect of teaching, disciplinary matters or issues outside the classroom.

A complainant should raise the concern initially with the Class Teacher, Year Leader, a member of the Senior Leadership Team or Head of School as appropriate. The school will ensure that informal complaints are responded to within 10 working days of being raised.

2. Unresolved concerns:
A concern which has not been resolved by informal means within ten working days from the receipt of the complaint can be notified as a formal complaint in accordance with Stage 2 below.

3. Record of concerns:
In the case of concerns raised under Stage 1 of this procedure, the only record of the concern and its resolution will be file notes by the person dealing with the complaint and/or file correspondence between the complainant and the respondent. For formal complaints at stage two and beyond a written record will be kept that identifies:

- whether the complaint was resolved through the formal procedure or proceeded to a panel; and
- action taken by the school as a result of the complaint, regardless of whether the complaint was upheld.

Stage 2: Formal Complaints

4. Notification:
An unresolved concern under Stage 1, or a complaint which needs investigation, or a more serious dissatisfaction with some aspect of the school's policies, procedures, management or administration should be set out in writing with full details and sent with all relevant documents and full contact details for the attention of the Head of School, Chief Executive Officer (CEO) or the Chair of the Board of Trustees, as appropriate (complaints regarding the CEO should go to the Chair of the Board of Trustees). Should a formal written complaint be received by a member of the school's staff, this should be immediately passed to the Head of School or CEO.

5. Acknowledgement:
The complaint will be acknowledged in writing, (which could include email), normally within 3 working days of receipt during term time and as soon as practicable during the holidays. The acknowledgement will indicate the action that is being taken and the likely timescale for resolution.

6. Investigation and resolution:

The Head of School or CEO may deal with the matter personally or delegate a senior member of staff to act as "investigating officer." The "investigating officer" may request additional information from the complainant and will fully investigate the issue. In most cases the Head of School or investigating officer will meet or speak with the complainant to discuss the matter.

7. Outcome:
The aim is to inform any complainant of the outcome of an investigation and the resolution to the complaint within 15 working days from the receipt of the complaint. Please note that any complaint received within 15 working days of the end of term or half term may take longer to resolve.

8. Record of complaints:
Written records will be kept of any meetings and interviews held in relation to the complaint.

9. Unresolved Complaints:
Where the complainant is not satisfied with the academy's response to their complaint they may have their complaint considered by the trust board Complaints Panel.

Stage 3 – Complaint Heard by the Complaints Panel

10. Request:
A request for a complaint to be heard by a Complaints Panel (an appeal) must be made in writing and within ten (10) working days of the date of the school decision made at Stage 2.

11. Acknowledgement:
Where an appeal is received, the school will, within (three) 3 working days, refer the matter to the Clerk of the Trustees who will act as Clerk to the Complaints Panel. Within (three) 3 working days of the clerk receiving the appeal, they will acknowledge, in writing, receipt of the appeal and inform the complainant of the steps involved in the process. The Clerk will be the contact point for the complainant.

12. Panel Hearing:
The Clerk will aim to convene an Appeal Panel hearing as soon as possible, normally no later than 20 working days after receipt of the Stage 3 request.

13. Panel Membership:
The Panel will consist of three Trustees on the Board of Trustees who have not previously been involved in the complaint (at least one of whom is independent of the management and running of the school). In deciding the make-up of the Panel, Trustees need to try and ensure that it is a cross-section of Trustees and be sensitive to the issues of race, gender and religious affiliation. The Panel will select its own Chair. Where it is not possible to convene a Panel of three appropriate Trustees who have not previously been involved in the complaint, governors from the local standards boards of schools within the Trust, may be appointed to sit on the Panel.

14. The Remit of the Complaints Appeal Panel:
The Panel can:

- dismiss the complaint in whole or in part

- uphold the complaint in whole or in part
- decide on the appropriate action to be taken to resolve the complaint
- recommend changes to the Trust's or school's systems or procedures to ensure that problems of a similar nature do not recur

The aim of the hearing, which will be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. The panel chair will ensure that the proceedings are as informal as possible.

15 Attendance:
The following are entitled to attend a hearing, submit written evidence and address the Panel;

- the complainant and/or one representative (other than in exceptional circumstances, and with the agreement of the Panel, it is not appropriate for a legal representative to attend)
- the Head of School, the teacher and/or one representative
- the CEO and investigating officer
- any other person who the Complaints Panel considers to have a reasonable and just interest in the appeal and whose contribution would assist the Panel in their decision making

16 Evidence:
All parties will be given the opportunity to submit written evidence to the Panel in support of their position including;

- documents
- chronology and key dates
- written statements setting out further detail

The evidence will be considered by the Panel along with the initial submission.

All written evidence must be received by the Clerk no later than (five) 5 working days in advance of the Panel Hearing. The Clerk will distribute the evidence to all parties no later than (three) 3 working days in advance of the Panel Hearing.

17. Roles and Responsibilities
The Role of the Clerk:
All panels considering complaints must be clerked. The Clerk would be the contact point for the complainant and be required to:

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible
- collate any written material and send it to the parties in advance of the hearing
- meet and welcome the parties as they arrive at the hearing
- record the proceedings
- notify all parties of the Panel's decisions

The Role of the Chair of the Board of Trustees or Nominated Trustee:

- check that the correct procedure has been followed
- if a hearing is appropriate, notify the clerk to arrange the panel

The Role of the Chair of the Panel:
The Chair of the Panel has a key role, ensuring that:

- the remit of the Panel is explained to the parties and each party has the opportunity of putting their case without undue interruption
- the key issues are addressed
- key findings of fact are made
- complainants or others who may not be used to speaking at such a hearing are put at ease
- the hearing is conducted in an informal manner with each party treating the other with respect and courtesy
- the panel is open minded and acting independently
- no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- each side is given the opportunity to state their case and ask questions;
- written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

18.Decision:
The Panel will aim to reach a decision, and make any recommendations within ten (10) working days of the hearing. If the Panel consider that further investigations are required prior to it reaching a decision, this timescale may be extended. The decision reached is final.

19.Notification of the Panel's Decision:
The Panel's findings will be sent, in writing, by the Clerk, to the complainant, the Head of School, the Trustees and the CEO and, where relevant, to the person complained about. The letter will state the reasons for the decision reached and any recommendations made by the Panel.

20.Record Keeping:
The Trust will keep a record of all appeals, decisions and recommendations of the Complaints Panel.

Exempt Complaints
The following are exempt complaints:

- Complaints about matters outside of the Academy Trust's control

This means a complaint about the activities of persons or organisations not under the direct control of the Riviera Education Trust (for example, complaints by one parent against another).

- Complaints about decisions of the whole Board of Trustees

Decisions made by the Board of Trustees are not subject to review by Trust employees or individual trustees, and any dissatisfaction in respect of any such decision should be addressed to the whole Board of Trustees (c/o the Chair of Trustees). The Board will consider such representations at a duly convened meeting, but shall not be obliged to reconsider their decision.

- Complaints about Trustees or Committees of Trustees acting under their delegated powers

This means a complaint about the activities of trustees or committees of trustees who are acting under the powers delegated to them by the Board of Trustees. These are subject to the Code of Conduct and other policies adopted by the Board, and subject to review by the full Board of Trustees; concerns in respect of such matters should be addressed to the Chair of

Trustees (or the Vice Chair if the concern is in relation to the activities of the Chair), who will take such action within his/her powers as s/he considers to be appropriate.

- Complaints previously dealt with

This means a complaint raised by a complainant which has already been dealt with using the procedures outlined in this policy, and which raises no new matter and presents no new information. This may include a complaint which differs slightly from the original complaint, but which is substantially the same as the complaint previously dealt with.

- Complaints in relation to which other procedures exist

This means a complaint in respect of matters which are properly dealt with by way of alternative procedures in place (for example, employee complaints relating to employment matters should be dealt with under the Trust's Grievance Policy; complaints relating to pupil exclusions should be dealt with under the relevant legislative process etc.)

- Complaints by a Persistent Complainant

This means a complaint which is substantially different from complaints previously received, but is submitted by a complainant who may be considered unreasonably persistent.
A complainant will not be considered unreasonably persistent solely on the basis that he or she has submitted previous complaints. However, matters such as volume of correspondence, the effect on the Trust's resources of dealing with the complainant, the importance or triviality of the complaint, and the direct impact of the matter complained of on the complainant will be considered factors in determining whether the complaint is an exempt complaint.

Unacceptable Behaviour

- We will aim to deal fairly, honestly, consistently and appropriately with all complainants, including those who we consider to be persistent complainants. We believe that all complainants have the right to be heard, understood and respected. We also consider that our employees have the same rights.
- The school reserves the right to conclude an investigation without further involvement from the complainant, or choose not to conclude an investigation, if the complainant's behaviour is deemed unacceptable, e.g. aggressive.
- Where behaviour is so extreme that it threatens the immediate safety and welfare of the school's staff or pupils, we will consider reporting the matter to the police or taking legal action. In such cases, we may not give the complainant prior warning of that action.

Complaints to the Education Funding Agency on behalf of the Secretary of State

There is a procedure for making complaints about academies if you are not happy. Department for Education (DfE) will normally only consider a complaint about an academy after the academy's own complaints procedure has been exhausted. The DfE cannot review or overturn decisions about complaints made by academies. They can investigate whether the academy considered the complaint appropriately. If the DfE finds that an academy did not consider a complaint appropriately it can request the academy to reconsider the complaint. Complaints about an academy should be sent to:

DfE via academy.questions@education.gsi.gov.uk or through the contact form which is available here:
https://form.education.gov.uk/fillform.php?self=1&form_id=cCCNJ1xSfBE&noLoginPrompt=1

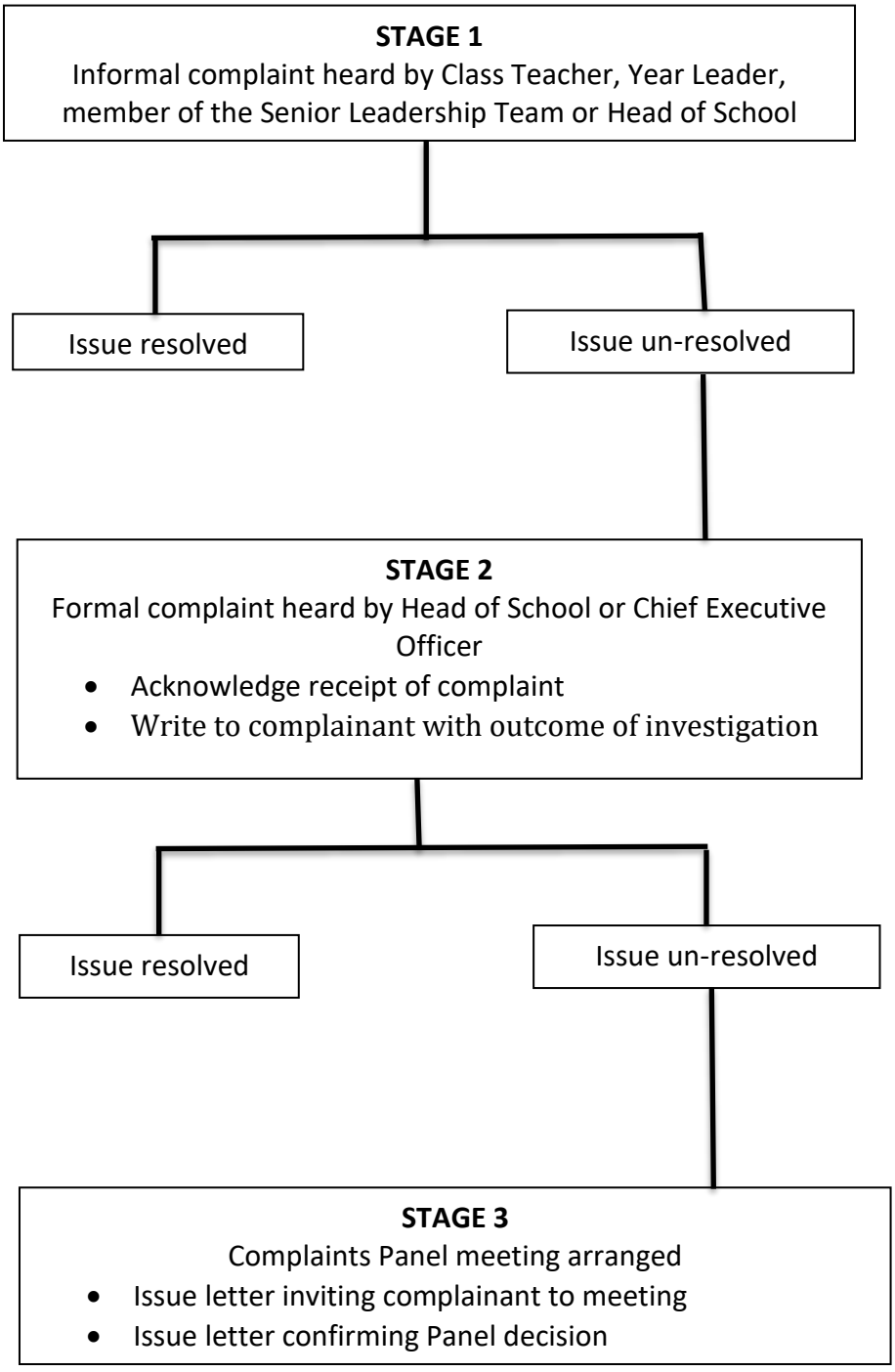
Appendix A: Checklist

Checklist for a Panel Hearing:

- ☑ The hearing is as informal as possible
- ☑ Witnesses are only required to attend for the part of the hearing in which they give their evidence
- ☑ After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses
- ☑ The Head of School (or CEO or investigating officer) may question both the complainant and the witnesses after each has spoken
- ☑ The Head of School is then invited to explain the academy's actions and be followed by the academy's witnesses
- ☑ The complainant may question both the Head of School and the witnesses after each has spoken
- ☑ The panel may ask questions at any point
- ☑ The complainant is then invited to sum up their complaint
- ☑ The Head of School is then invited to sum up the academy's actions and response to the complaint
- ☑ Both parties leave together while the panel decides on the issues
- ☑ The chair explains that both parties will hear from the panel within a set time-scale

Appendix B: Summary of dealing with complaints

If a formal complaint is made, Stage 2 of the process is automatically invoked.



Appendix C: Complaint Form

Please complete and return to the Clerk to Board of Trustees who will acknowledge receipt and explain the complaints process.

Your Name ……

Pupil's name ……

Your relationship to the pupil (if relevant) ……

Address …….

Telephone number (day) ……..

Telephone number (evening) ……..

Please give brief details of your complaint

……

……

…….

What action, if any, have you already taken to try to resolve your complaint? (Who did you speak to and what was their response?)

……

……

……

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

……

……

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

……

……

Signature …… (Complainant)

Date ……..

Appendix D: Good Practice for Investigators

The person investigating the complaint should:

1 establish what has happened so far, and who has been involved
2 refer to any existing records or documents
3 clarify the nature of the complaint and what remains unresolved
4 meet with the complainant or contact them (if unsure or further information is necessary)
5 clarify what the complainant feels would put things right
6 interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
7 conduct the interview with an open mind and be prepared to persist in the questioning;
8 keep notes of the interview

General Points

9 be aware of the timescale and the importance of providing a thorough investigation
10 keep the person who commissioned the investigation and the complainant informed of progress
11 maintain strict confidentiality
12 consider the environment the investigations are conducted in – some places may be intimidating or distressing for children and young people in particular
13 adhere to relevant conventions and legislation such as Data Protection Act, Health and Safety Act and the Human Rights Act
14 check if there have been any pervious complaints made by, or on behalf of, the person making the complaint

Getting Started

15 contact the complainant, ideally by phone, to offer a meeting in person. This meeting should explain the investigation procedure and:
   (a) allow the complainant to explain how s/he feels and express any strong emotions – s/he should feel as if his complaint has been accepted
   (b) clarify the complaint and all its individual parts and produce a written record
   (c) ask what the complainant wants in terms of solution or outcome
   (d) check whether the complainant needs support of any kind, in order to understand the discussion properly
   (e) determine whether the complainant needs support during the process e.g. an advocate
16 read background on the complaint and any relevant legal and administrative policies and procedures
17 consider whether the complaint could be resolved without further investigation

Planning the Investigation

18 obtain all documentation needed including original versions of documents such as files, log books and timesheets
19 produce a chronology of the sequence of events from the files and identify the names of the individuals most directly involved in the content of the complaint
20 analyse and categorise the complaint into its different elements
21 identify any gaps or discrepancies
22 identify a list of interviewees and give them as much notice as possible of the intention to interview them. Supply them with relevant information on the complaint in advance of the interview, whilst maintaining any duty of confidentiality. Where a child is a potential witness, consider whether it is appropriate and absolutely necessary to interview them. In the rare circumstances where this is necessary, carefully consider the arrangements for the interview, including who should accompany the child
23 arrange the order of interviews in a logical sequence as relevant to the particular complaint
24 inform all those to be interviewed that they may be accompanied by a friend or trades union representative, provided that this person is not within normal line management arrangements with the interviewee and that there are no issues of confidentiality.
25 consider whether a witness is needed for interviews which may be particularly difficult
26 prepare the line of questioning for each interviewee

Interviewing

27 explain the complaint (subject to any duty of confidentiality) and your role clearly to the interviewee and confirm that they understand the complaints procedure and their role in it
28 conduct the interviews in a friendly, professional and relaxed a manner, while ensuring that due process is adhered to:
   a. use open not leading questions;
   b. do not express opinions in words or attitude
   c. ask single not multiple questions, i.e. one question at a time

29 try to separate hearsay evidence and opinion from fact by asking interviewees how they know a particular fact
30 persist with questions if necessary. Do not be afraid to ask the same question twice. Make notes of each answer given.
31 deal with conflicting evidence by seeking corroborative evidence.
32 at the end of the interview, summarise the main points and ask the interviewee if they have anything to add
33 make a formal record of the interview from the written notes as soon as possible while the memory is fresh. Show the interviewee the formal record, ask if they have anything to add, and to sign the record as accurate.
34 keep the complainant informed of the progress of the investigation

The Investigation Report

35 the report should include:
   a. chronology
   b. list of interviewees
   c. the complaints set out in a numbered list
   d. your analysis and findings for each point of complaint
   e. a record of relevant policy, practice and legislation
   f. your recommendations and response to the complainant's desired outcomes
   g. any other relevant information
   h. a separate addendum for any other issues for the school/college

36 a copy of the draft report should be sent to the person who commissioned the investigation, who will advise as to how this will be released

Report Writing Guidance for Investigators

Note: **It is absolutely essential that reports are written clearly and accurately. Careful attention needs to be paid to the use of language – especially the use of jargon or phrases/initials which only a few people would understand.**

Structure of the Report

All reports should include the following elements:

The complaint	copy of the original complaint
The introduction	will describe the main features of the report and any relevant information with regard to the background of the investigation
The main body	will describe the main elements of the investigation sequentially. It will contain timescales of events with regard to the investigation being reported; list of interviewees; the complaints

	set out in a numbered list; factual evidence; references, quotations from key personnel; record of relevant policy, practice and legislation and any other relevant information.
The findings	your analysis and findings for each element of the complaint. They will be evidenced in the content of the main body of the report.
The recommendations	your recommendations and response to the complainants desired outcomes. Any other issues should be set out in a separate addendum
The acknowledgements	will be to demonstrate the contribution made by any other people in the compilation of the report.

All reports are to be marked 'personal and confidential'

DETAILS OF AMENDMENTS

October 2018

- Updated to include Shiphay Learning Academy

July 2019

- Reviewed, updated Headteacher with Head of School.

September 2020

- Updated to include definition of working days: In this policy working days will mean school days where pupils are required to attend.
- Update panel membership.

October 2021

- Reviewed without change

October 2022

- Reviewed without change

September 2023

- Reviewed without change

September 2024

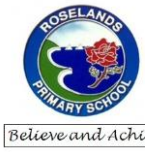
- Reviewed. Replacement of 'independent' with 'trust board' to describe the panel reviewing an unresolved complaint.

September 2025

- Reviewed: Note added on final page (ahead of appendices) to recognise the cessation of the ESFA and DfE taking up those responsibilities

September 2026

- Reviewed to include Early Years Foundation Stage
- Removed reference to ESFA and replaced with DfE
- Included more detail around written records in section three: Record keeping



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