Exeter Learning Academy Trust

Creating our future together

Complaints Policy and Procedure

Review Date: Jan 2027

This policy was adopted by the Trustees of Exeter Learning Academy Trust in February 2026

Version control			
Prepared By	CEO		
Authorised By	Trust Board		
Published Location	https://www.exeterlearningacademytrust.co.uk/ and school websites.		
Version Number	**Date issued**	**Author**	**Update information**
V01	5 May 2021.	CEO	
V02	5 December 2022	CEO	Complaints about HT to go to Chair of LGB
V03	4 December 2023	CEO	No changes
V04	21 January 2025	CEO	No changes
V05	3rd February 2026	CEO	Legal framework, technical updates,

1. Introduction

1.1. This Policy and Procedure sets out the framework for how concerns and complaints are managed within all the schools in Exeter Learning Academy Trust (ELAT). The Trust reserves the right to alter this process, in exceptional circumstances.

1.2. The Trust values its relationship with parents, carers and our local community. We are happy to receive suggestions and comments outside of this complaints policy, as this can help us to identify areas of success and where we can make improvements.

1.3. It is expected that complaints will be directed to the school that the complaint relates to. 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.

1.4. Every effort will be made to resolve the matter informally. However, if this is not possible the procedures in this policy should be followed.

1.5. **This policy has been devised with due regard to a legal framework:**

- Education Act 2002
- Equality Act 2010
- Independent School Standards (Part 7)
- Immigration Act 2016 (public sector language requirements)
- UK GDPR & Data Protection Act 2018
- DfE Best Practice & Academy Trust Handbook (2025)

2. Who can make a complaint?

2.1. The Trust's complaints procedure is not limited to parents or carers of children that are registered at The School. Any person, including members of the public, may make a complaint to the school about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

3. The difference between a concern and a complaint

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

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

3.3. 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. ELAT 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, the Headteacher will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Headteacher will refer you 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.

3.4 **Mediation** may be offered **at any stage** (especially early) where proportionate and agreed by parties. Mediation is voluntary, confidential and aims to reach a pragmatic solution quickly.

3.5 Complainants should not approach individual local governors to raise concerns or complaints. Local governors have no power to act on an individual basis and it may also prevent them from considering complaints at later stages of the procedure.

3.6 We understand that there are occasions when people would like to raise their concerns formally. In this case, the school will attempt to resolve the issue internally, through the stages outlined within this complaints procedure. The complainant should be given clear information about how to proceed along with a copy of this procedure.

4 Anonymous complaints

4.1 We will not normally investigate anonymous complaints. However, the Headteacher or Chair of Local Governors, if appropriate, will determine whether the complaint warrants an investigation.

5 Time scales

5.1 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 if exceptional circumstances apply.

6 How to raise a concern or make a complaint

6.5 A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

6.6 Complaints against school staff (except the head teacher) should be made in the first instance, to the Headteacher via the school office**.** Please mark them as Private and Confidential.

6.7 Complaints that involve or are about the Headteacher should be addressed to the Chair of Local Governors, via the school office. Please mark them as Private and Confidential.

6.8 Complaints about the Chair of Local Governors, any individual governor or the whole governing body should be sent to the Trust Clerk (clerk@elatschools.com) or communicated via the school office. Please mark them as Private and Confidential.

6.9 Complaints about the Chief Executive Officer (CEO) or a trustee of the Trust, should be addressed to the Chair of Trustees and sent to the Trust Clerk (clerk@elatschools.com). Please mark them as Private and Confidential.

6.10 For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask a third-party organisation for example like the Citizens Advice to help you.

6.11 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.

7 Complaints received outside of term time

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

7.6 If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations. If this happens, we will inform you of a proposed new timescale.

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

8 Resolving complaints

8.5 At each stage in the procedure, ELAT 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 apology.
- 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 of 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

9 Withdrawal of a complaint

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

10 Accessibility

10.1 The Trust will provide support to complainants in terms of accessibility, this may include but is not limited to:

- Access to **interpreters** for non-English speakers.
- **BSL/sign language interpreters** for hearing-impaired complainants.
- **Advocacy or communication support** for vulnerable complainants.
- Adaptations for disabilities (cognitive, physical, sensory).

4. Complaints Procedure

10.5 The complaints procedure follows a three-stage process, which is detailed below. The relevant forms can be found at Appendix A & B:

- Informal complaint
- Stage 1 – Formal complaint
- Stage 2 – Appeal Panel

Stage 1 - Concern or informal complaints

a. It is in all parties' interests to resolve a complaint at the earliest possible stage. The aim will be to resolve the complaint and achieve reconciliation between the school/academy and the complainant.

b. The concern or complaint will be heard by a member of staff within the school/academy it relates to, who is not subject to or had any involvement with the subject matter.

c. 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 Stage 3 of the procedure.

d. Complaints about Headteachers will be referred to the Chair of the Local Governing Body

e. Complaints about the Chief Executive Officer will be referred to the Chair of the Trust Board.

f. Complaints about the Chief Finance Officer or trust shared services staff will be referred to the Chair of Trustees.

g. At the conclusion of their investigation, the appropriate person investigating the complaint will aim to provide an informal written response within 10 school days of the date of receipt of the complaint. If the head teacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

h. If the complaint remains un-resolved the complainant can make a request for their complaint to be dealt with under the formal stage 2 of the complaints process. For this to be considered, the complainant must submit their request within 10 school days of receipt of the outcome at the informal stage, preferably using the form at Appendix 1, giving details of the complaint, stating what they feel is unresolved, action already taken to resolve the issue and proposed further actions about what the school can do to put things right.

i. A complaint can move to the formal stage 2 of the complaints procedure if the school considers it needs a formal investigation, or it is a more serious dissatisfaction with some aspect of the school's policies, procedures, management or administration.

j. A record of the informal complaint and its resolution will be retained by the school.

Stage 2 – Formal complaints

a. An unresolved concern or informal complaint under Stage 1, or a complaint which is a more serious dissatisfaction with some aspect of the school's policies, procedures, management or administration will be dealt with under Stage 2.

b. 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 in Appendix 1).

c. Complaints about a member of the Local Governing Board must be made to the Clerk and will be referred to the Chair of the Trust Board, who will appoint a Trustee or Local Governor independent to the school/academy to investigate.

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

e. 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 in order to gather additional details.

f. The Headteacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.

g. The Headteacher or other Responsible Officer may, where appropriate, nominate a suitably skilled member of the Local Governing Board to be a Co-Investigator.

h. During the investigation, the person(s) investigating 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.

i. At the conclusion of their investigation, the Headteacher or other responsible officer will provide a formal written response within 15 school days of the date of receipt of the complaint. If the complaint is received within 15 days of a school holiday, it may take longer to resolve.

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

k. 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 the school will take to resolve the complaint.

l. The head teacher or other Responsible Officer will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

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

Stage 3 will be escalated to the CEO of the Trust.

Stage 3 – Complaints Appeals Committee

a. If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to a Stage 3 Appeals Committee. This committee consists of at least three local governors/trustees who were not directly involved in the matters detailed in the complaint with one committee member who is independent of the management and running of the school. This is the final stage of the complaints procedure.

b. A request to escalate to Stage 3 must be put in writing to the Trust Clerk, via the school office, within 15 school days of receipt of the Stage 2 response. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

c. The written complaint should state clearly the reason for the complaint, explain clearly what steps have been taken to resolve the complaint so far by the academy/school and why this has not been satisfactory and outline the desired outcome from the complaint.

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

e. The committee will decide whether to deal with the complaint by inviting parties to the meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

f. The aim of the appeals committee will always be to resolve the complaint and achieve reconciliation between the academy/school and the complainant.

g. At least 10 school days before the appeals committee meeting the Trust Clerk should write to the complainant to inform them 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. The notification will also include a request that copies of any further written material to be submitted to the committee is provided at least 5 school days before the meeting to enable any written material to be circulated to all parties at least 3 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

h. The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 20 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.

i. If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

j. At this stage the committee will not review any new complaints or consider evidence unrelated to the initial complaint. New complaints must be dealt with from Stage 1 of the procedure.

k. 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 the trustees and an independent panel member.

l. A complainant may bring someone along to the appeals committee meeting to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

m. Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

n. Representatives from the media are not permitted to attend.

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

p. The committee will consider the complaint and all the evidence presented. The committee can:

- uphold the complaint in whole or in part

- dismiss the complaint in whole or in part.
- If the complaint is upheld in whole or in part, the committee 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.

q. The Chair of the Committee will provide the complainant, the school and the Chair of the Trust Board with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days.

r. The letter to the complainant will include details of how to contact the Education and Department of Education (DFE) if they are dissatisfied with the way their complaint has been handled by the school.

s. 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 The School will take to resolve the complaint.

t. The committee will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about.

11 Record Keeping

11.1 A copy of the Committee's findings and recommendations will be available for inspection on school premises by the complainant and the Headteacher or other Responsible Officer. A written record will be kept of all complaints that are made under Stages 2 or 3 and:

- whether they were resolved following a formal procedure, or proceeded to a Committee and
- action taken by the school/academy/Trust as a result of those complaints (regardless of whether they are upheld) and
- Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

12 Roles and Responsibilities

12.5 Complainant

The complainant will receive a more effective response if they behave reasonably within the course of their complaint and:

- 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, meetings or to agree details
- ask for assistance as needed.
- treat all those involved in the complaint with respect.
- refrain from publicising their complaint on social media and respect confidentiality.

We define unreasonable behaviour as that which hinders our consideration of the complaint. This is outlined in Section 8 along with our approach in response to such behaviour.

Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
- sensitive and thorough interviewing of the complainant to establish fully what has happened and who has been involved.
- interviewing staff and children/young people/others relevant to the complaint.
- consideration of records and other relevant information.
- analysing information.
- liaising with the complainant to clarify what they feel would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning.
- keep notes of interviews or arrange for an independent note taker to record minutes.
- ensure that papers produced during the investigation are kept securely pending any appeal.
- be mindful of the timescales to respond.
- prepare a comprehensive report for the Headteacher/Responsible Officer or complaints committee that sets out the facts, identifies

solutions and recommends courses of action to resolve problems.

The Headteacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

12.3 Headteacher or other Responsible Officer

The Headteacher or other responsible officer should:

- ensure that the complainant is fully updated at each stage of the procedure.
- liaise with all stakeholders to ensure the smooth running of the complaints procedure.
- be aware of issues regarding:
- sharing third party information.
- additional support to the complainant e.g. if they are a child or young person.
- keep records.

12.4 Clerk

The Clerk is the contact point for the complainant and the committee 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 (for example; stage 1 and/or 2 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale.
- record the proceedings.
- circulate the minutes of the meeting.
- notify all parties of the committee's decision.

12.5 Committee Chair

The committee chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting.
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy.
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person.
- the remit of the committee is explained to the complainant.
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR. If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting.
- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself.
- the issues are addressed.
- key findings of fact are made.
- the committee is open-minded and acts independently.
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure.
- the meeting is minuted.
- they liaise with the Clerk.

12.6 Committee Member

Committee members should be aware that:

- the meeting must be independent, impartial and should be seen to be so. No governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant. We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.
- many complainants will feel nervous and inhibited in a formal setting - parents/carers often feel emotional when discussing an issue that affects their child.
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting. Careful consideration of the atmosphere and proceedings should ensure that the child/young person

does not feel intimidated. The committee 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 committee 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 committee 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 committee considers is not in the child/young person's best interests.

- the welfare of the child/young person is paramount.

13 Complaints escalated to / about the Trust, CEO or Trustee

13.5 If a complaint is escalated to Exeter Learning Academy 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.

13.6 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.

13.7 Following the investigation, the CEO will write to the complainant confirming the outcome within **15 school days** of the date that the letter was received. If this time limit cannot be met, the CEO will write to the Complainant within **10 school days** of the date that the letter was received**,** explaining the reason for the delay and providing a revised date.

13.8 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

13.9 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.

13.10 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 15 school days.

13.11 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. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

13.12 The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 10 school days of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

13.13 If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

13.14 If the complaint is:

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

Stage 3 will be heard by a completely independent committee panel.

13.15 The Complaint Panel will consist of three members. None of the three members of the Complaint Panel will have been involved in the incidents or events which led to the complaint, or have been involved in dealing with the complaint in the previous stages, of have any detailed prior knowledge of the complaint.

13.16 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.

13.17 A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate. For instance, if a trust employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

13.18 Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

13.19 Representatives from the media are not permitted to attend.

13.20 At least 10 school days before the meeting, the Clerk will:

- confirm and notify the complainant 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

- request copies of any further written material to be submitted to the committee at least 5 school days before the meeting to enable any written material will be circulated to all parties at least 3 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

13.21 The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

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

13.23 The committee will consider the complaint and all the evidence presented. The committee can:

- uphold the complaint in whole or in part

- dismiss the complaint in whole or in part.

- If the complaint is upheld in whole or in part, the committee 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.

13.24 The Chair of the Committee will provide the complainant and Exeter Learning Academy Trust with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days. The letter to the complainant will include details of how to contact the Education and Department of Education (DFE) if they are dissatisfied with the way their complaint has been handled by Exeter Learning Academy Trust.

13.25 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 Exeter Learning Academy Trust will take to resolve the complaint.

13.26 The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the proprietor and the head teacher.

13.27 A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, along with what actions have been taken, regardless of the decision.

13.28 All correspondence statements and records relating to individual complaints will be kept confidential, except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

14 Exempt Complaints

The following are exempt complaints and will not be considered by the Trust or any of its academies:

Complaints about matters outside of the Trust's control

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

Complaints about Trustees or Committees of the Board acting under their delegated powers

This means a complaint about the activities of trustees or committees of the Board, 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.)

Historic complaints

This means where the dissatisfaction relates to issues or an incident that occurred more than three months prior to the complaint being submitted. This timeframe may be extended in exceptional circumstances.

For more details about complaints not in the scope of this policy please follow the link to the DFE: https://www.gov.uk/government/publications/school-complaints-procedures/best-practice-advice-for-school-complaints-procedures-2019#complaintsnotinscope

15. Managing Serial, Vexatious and Unreasonable Complaints

We will aim to deal fairly, honestly, consistently and appropriately with all complainants, however there will be rare circumstances where we will deviate from the complaints procedure. A complainant will not be considered unreasonably persistent solely on the basis that he or she has submitted a previous complaint. However, the following circumstances may result in a complaint not being considered by the academy or the Trust:

- Where the volume of correspondence and frequency of contact by the complainant is affecting the proper running of academy;
- Where the complainant's complaint is vexatious and/or clearly has insufficient grounds; this may include abusive, thre
- Where the complainant's complaint is the same or similar or based on the same facts as a complaint that has already been considered by the academy or the Trust;
- Where the importance or triviality of the complaint does not warrant expending academy or Trust resource to undertake an investigation;
- Where the complainant's behaviour towards staff, governors or trustees is deemed unacceptable, e.g. rude, aggressive, abusive or threatening;

In the above circumstances the academy or Trust may:

- Inform the complainant that their behaviour is unacceptable or unreasonably persistent and ask them to change it;
- Restrict the complainant's access to the Trust/academy eg. requesting contact in a particular form (for example, letters only) or requiring contact to take place with a named person only and restricting telephone calls to specified days and times;
- Ban the complainant from the academy's premises;
- Conclude an investigation without further involvement from the complainant.

- conduct the Appeal Panel referring to papers only, or choose not to conclude an investigation
- Refuse to consider the complaint and refer the complainant directly to the DFE.
- Where an individual(s) behaviour is so extreme that it threatens the immediate safety and welfare of the school's staff or pupils, we will report the matter to the police or taking legal action. In such cases, we may not give the complainant prior warning of that action.

In all cases we will write to tell the complainant why we believe his or her behaviour is unacceptable and/or unreasonably persistent, what action we are taking and the duration of that action, explaining this in writing.

16. **High Volume Cases**

16.1 If a campaign from unconnected complainants arises on the same subject, ELAT may publish a **standard response** on its website and direct enquirers to it.

16.2 Connected complainants (e.g., parents) will receive an **individual response**.

16.3 Persistent dissatisfaction will be signposted to the **DfE** route once ELAT's procedure is complete

17. Record Keeping

17.1 **Records kept** for all Stage 2/3 complaints, including if resolved, if they proceeded to a panel, and any actions taken regardless of outcome.

17.2 **Storage & retention:** Securely on the school or trust system, in line with ELAT's Data Protection & Records Management Policies (retention schedules applied; personal data kept only as long as necessary)

17.3 **Access rights:** Subject Access Requests under **UK GDPR** and requests under **FOI** will be handled per policy and law.

17.4 **Recording meetings:** Covert recordings are **not** accepted as evidence. Any agreed recording will require **prior informed consent** of all parties and will be stored/handled lawfully.

18. 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 DFE after they have completed Stage 3.

The DFE will not normally reinvestigate the substance of complaints or overturn any decisions made by Exeter Learning Academy Trust. They will consider whether The School 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 DFE online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Academy Complaints and Customer Insight Unit

Education and Department of Education
Cheylesmore House

5 Quinton Road

Coventry

CV1 2WT

Appendix 1

Complaint Form

Please complete and return to either the Headteacher or Trust Clerk (clerk@elatschools.com) who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: **Postcode:** **Day time telephone number:** **Evening telephone number:** **Email address:**

Please give details of your complaint, including whether you have spoken to anybody at the school about it.
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: