




# The LETTA Trust

## Complaints Procedure

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<b>Reviewed by:</b>	Trust Board	<b>Signed:</b>	



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## 1. Introduction

We believe that building strong relationships with people and maintaining an open dialogue means that most concerns are resolved informally. Leaders seek out feedback from staff and parents as we are keen to improve the quality of education for our pupils. We tell pupils that they will learn by making mistakes. We make mistakes too and need to know what's working well and what isn't. The resolution of a complaint is a potential opportunity for development.

## 2. Aims

- Encourage resolution of problems by informal means wherever possible
- Ensure openness with regard to procedures for dealing with a complaint
- Ensure that the process is fair and impartial

## 3. Principles

- The complaints procedure is accessible to parents, pupils and members of the public
- Procedures are as speedy as possible to ensure fairness to all
- Complainants will be kept informed throughout the process
- Complaints are treated with discretion. However, information must be shared to carry out a thorough investigation
- All formal complaints will be recorded and monitored
- If it becomes apparent that a complaint has the potential to lead to a disciplinary issue, then professional advice will be sought

## 4. 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 of pupils at the school.
- It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on [creating a complaints procedure that complies with the above regulations](#), and refers to [good practice guidance on setting up complaints procedures](#) from the Department for Education (DfE).

## 5. Who can make a complaint

This complaints procedure is not limited to parents or carers of pupils that are registered at the school. Any person may make a complaint to the headteacher about our provision of facilities or services. Separate policies exist for specific concerns covered by statutory requirements (see below).



## 6. Exceptions to the complaints procedure

This procedure covers all complaints about any provision of facilities or services at LETTA Trust schools other than complaints that are dealt with under other statutory procedures.

Exceptions	Who to contact
Admissions to schools Statutory assessments of Special Educational Needs School reorganisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs and/or Disabilities, or school reorganisation proposals should be raised with Tower Hamlets Local Authority
Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy in accordance with relevant statutory guidance. If you have serious concerns, you can contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH).
Exclusion of children from school	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> .
Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to whistle blowers in education who do not want to raise matters directly with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a> .
Staff grievances	Complaints from staff will be dealt with under the Trust's internal grievance procedures.
Staff conduct	Complaints about staff will be dealt with under the Trust's internal disciplinary procedures. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. The complainant will be notified that the matter is being addressed.
Complaints about services provided by other providers who use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about services. Please contact them directly.
National Curriculum - content	Please contact the Department for Education at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>

If other bodies such as the police, local authority safeguarding teams or Tribunals are investigating aspects of a complaint, 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 a complainant commences legal action against a LETTA Trust school in relation to their complaint, we will decide whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

## **7. The difference between a concern and a complaint**

### **A concern**

Defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.

### **A complaint**

Defined as 'an expression of dissatisfaction, 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. Most concerns can be resolved informally, without the need to use the formal stages of the complaints procedure. LETTA Trust schools take 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.

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

## **8. How to raise a concern or make a complaint**

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

Concerns should be raised with either the class teacher or a school leader. If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual trustees or 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 2 of the procedure.

### **Complaints against school staff (except the headteacher)**

Should be made to the headteacher via the headteacher's PA. Please mark them as private and confidential.



### **Complaints that involve or are about the headteacher**

Should be addressed to the Chief Executive Officer (CEO), via any school office. Please mark them as private and confidential.

### **Complaints about the Chair of Governors, any governor or the whole governing body**

Should be addressed to the CEO, via any school office. Please mark them as private and confidential.

### **Complaints about the CEO or a trustee who is not the Chair of Trustees**

Should be addressed to the Chair of Trustees, via the Executive PA. Please mark them as private and confidential.

### **Complaints about the Chair of Trustees or the whole trust board**

Should be addressed to the Members, via the Executive PA. Please mark them as private and confidential.

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 any school office. You can also ask third party organisations like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments to enable complainants to access and complete this complaints procedure. For instance, we might assist complainants in raising a formal complaint or hold meetings in accessible locations.

## **9. Anonymous complaints**

We will not normally investigate anonymous complaints. However, the headteacher or CEO will determine whether the complaint warrants an investigation.

## **10. Time scales**

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.

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

We will investigate all written complaints relating to the school's fulfilment of the Early Years Foundation Stage requirements, and notify the complainant of the outcome within 28 days of receiving the complaint. The school will keep a record of the complaint (see section 10) and make this available to Ofsted on request.

Parents and carers can notify Ofsted if they believe that the school is not meeting Early Years Foundation Stage requirements, by calling 0300 123 4666, or by emailing



[enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk). An online contact form is also available at <https://www.gov.uk/government/organisations/ofsted#org-contacts>.

## 11. Resolving complaints

At each stage in the procedure our primary aim is 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 better
- An assurance that we will try to ensure the event 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 changes will be made
- An undertaking to review school policies in light of the complaint
- An apology

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

## 12. Stage 1: informal process

The school will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

The complainant should raise the complaint as soon as possible with the relevant member of staff or the headteacher, either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact the school office.

The school will acknowledge informal complaints within 2 school days, and investigate and provide a response within 10 school days.

The informal stage will involve a meeting between the complainant and the headteacher.

If the complaint is not resolved informally, it will be escalated to a formal complaint.



### **13. Stage 2: formal process**

Formal complaints must be made to the headteacher (unless they are about the headteacher), via the school office. This may be done in person, in writing (preferably on the Complaint Form), or by telephone.

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 2 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.

#### **Investigation**

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 or interviews in relation to their investigation

#### **Conclusion**

At the conclusion of their investigation, the headteacher will provide a formal written response within 10 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 school leaders will take to resolve the complaint.

The headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

#### **Who is responsible for Stage 2:**

- If the complaint is about the headteacher, the CEO will complete all actions at Stage 2
- If the complaint is about the Chief Executive Officer or an individual trustee, the Chair of Trustees will appoint a trustee to complete all actions at Stage 2
- If the complaint is about the Chair of Trustees or the whole trust board, two Members will appoint an investigating officer to complete all actions at Stage 2. At the conclusion of their investigation, the independent investigator will provide a formal written response





#### **14. Stage 3: formal process**

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3. This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the Executive PA, via any school office, within 10 school days of receipt of the Stage 1 response. The Executive PA will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 2 school days. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Executive PA will write to the complainant to inform them of the date of the Stage 3 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 Executive PA will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Executive PA 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.

The complaints committee will consist of:

- If Stage 2 was overseen by the headteacher, the CEO, a governor or trustee with no prior involvement or knowledge of the complaint and one independent panel member
- If Stage 2 was overseen by the CEO or a trustee, two trustees with no prior involvement or knowledge of the complaint and one independent panel member
- If Stage 2 was a complaint against the Chair of Trustees or the entire Trust Board, two members with no prior involvement or knowledge of the complaint and one independent panel member

Prior to the meeting, the committee will decide amongst themselves who will act as the Chair of the Complaints Committee. The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. We do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate such as where a school employee is called as a witness in a complaint meeting. In this case an employee may wish to be supported by a union or legal representative. Representatives from the media are not permitted to attend.

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 and outcomes will not be shared with them. At least 10 school days before the meeting, the Executive PA will:



- 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

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The committee will not accept recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

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 2 of the procedure.

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 meeting or conversation takes place. Consent will be recorded in any minutes taken. The committee will consider the complaint and all the evidence presented and then decides whether to:

- 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
- Recommend changes to the school's systems or procedures to prevent similar issues in future

The Chair of the Committee will provide the complainant and the school with a full explanation of their decision and the reason(s) for it, in writing, within 5 school days. The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by the Trust.

## **15. Next steps**

If the complainant believes the LETTA Trust did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably under education law, they can contact the Department for Education (DfE) after they have completed Stage 3. The DfE will not normally reinvestigate the substance of complaints or overturn any decisions made by the Trust. They will consider whether the Trust has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the DfE online at:

[www.education.gov.uk/contactus](http://www.education.gov.uk/contactus), by telephone on: 0370 000 2288 or by writing to:



Department for Education  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD

The complainant can also contact the Education and Skills Funding Agency (ESFA). The ESFA will check whether the complaint has been dealt with properly by the school. The ESFA will not overturn a school's decision about a complaint, but will intervene if a school or trust has:

- Breached a clause in its funding agreement
- Failed to act in line with its duties under education law
- Acted (or is proposing to act) unreasonably when exercising its functions

If the school's complaints procedure is found to not meet regulations, the school will be asked to correct its procedure accordingly.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

We will include this information in the outcome letter to complainants.

## **16. Vexatious Complaints**

There will be occasions when despite all stages of the procedure having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Chair of Trustees can inform the complainant in writing that the procedure has been exhausted and that the matter is now closed.

## **17. Roles and responsibilities**

### **Complainant**

The complainant will receive a more effective response if they:

- Explain the complaint in full as early as possible
- Cooperate with the school in seeking a solution to the complaint
- Respond promptly to requests for information or meetings
- 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 establish the facts relevant to the complaint by:

- Providing a comprehensive, open and fair consideration of the complaint



- Interviewing the complainant sensitively to establish what has happened and who has been involved
- Considering and analysing records and other relevant information
- Liaising with the complainant and the headteacher, CEO or trustee as appropriate to clarify what the complainant feels 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
- Ensure that papers produced during the investigation are kept securely pending appeal
- Be mindful of the timescales to respond
- Prepare a comprehensive report for the headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems

The CEO 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.

### **Complaints co-ordinator**

This could be the headteacher, CEO, a trustee or other staff member providing administrative support. The complaints co-ordinator should:

- Ensure that the complainant is fully updated at each stage of the procedure
- Liaise with staff members to ensure the smooth running of the complaints procedure
- Be aware of issues regarding sharing third party information and additional support
- Keep records

### **Executive PA**

The Executive PA is the contact point for the complainant and the CEO and trustees. They should:

- Ensure that all people involved in the complaint procedure are aware of their legal rights and duties
- Set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties invited to attend and that the venue and proceedings are accessible
- Collate any written material relevant to the complaint, for example Stage 1 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

### **Committee chair**

The chair is nominated in advance of the Stage 3 complaint meeting. They ensure that:



- Both parties are asked, via the Executive PA, 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 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 everyone has 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 committee is open-minded and acts independently and issues are addressed
- 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 recorded in minutes

### **Committee member**

Committee members should be aware that:

- The meeting must be independent and impartial and 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 or carers often feel emotional when discussing an issue that affects their child
- Extra care needs to be taken when the complainant is a young person and is present during all or part of the meeting. Careful consideration of the atmosphere should ensure that the young person does not feel intimidated. The committee should respect the views of the young person and give them equal consideration to those of adults. If the young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the 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 young person needs to attend. The parent should be advised that agreement might not always be possible if the parent wishes the young person to attend a part of the meeting that the committee considers is not in the young person's best interests. The welfare of the young person is paramount



## LETTA Trust Schools Complaint Form

Please complete and return to the headteacher who will acknowledge receipt and explain what action will be taken.

<b>Your name:</b>
<b>Pupil's name (if applicable):</b>
<b>Your relationship to the pupil (if applicable):</b>
<b>Address:</b>
<b>Postcode:</b>
<b>Day time telephone number:</b>
<b>Evening telephone number:</b>
<b>Please give details of your complaint, including who you have spoken to at the school about it.</b>



**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:**

**Date:**