



The Keys Academy Trust

Complaints Policy and Procedure

As a Church of England multi academy trust the principles of The Keys Academy Trust are informed by values of honesty and truth and we seek to serve the children who are educated in our schools, as well as their families, with integrity and justice. We also seek to show appreciation and provide support and appropriate challenge to the staff who work in our schools.

However, we are human, so there are inevitably times when mistakes may be made and individual wishes to complain. Complaints come in various forms and can refer to many different aspects of life. Since they can damage relationships and become the source of division within schools and the Trust, every complaint should be handled sensitively. We aim to provide an excellent service to all who seek to benefit from our offer. If we fail to do this we want to know about it. This will enable us not only to deal with specific problems, but also to learn from experience and avoid problems in future. The Trust is therefore committed to ensuring that complaints are dealt with fairly and in a timely way. The Keys Academy Trust ("KAT") has adopted this procedure to allow individuals to raise a concern or complaint relating to the Trust.

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

- complaints from parents/carers of pupils attending KAT schools about issues relating to their child or the school, who should instead follow the complaints policy of the school which their child attends
- staff grievances or disciplinary procedures
- admissions
- exclusions
- issues related to child protection.

Overriding principles

We are fully committed to dealing with all concerns and complaints fairly and impartially, in a friendly, respectful and professional way as it is in everyone's best interest to help ensure the matter can be resolved as quickly and informally as possible.

Our Christian ethos and our Trust's core values play an important part in the way we deal with and resolve concerns and complaints: these include respect, forgiveness, trust, kindness, truth and patience.

We celebrate the diversity within our Trust and want all people to feel they have had the chance to be heard.

Understanding this procedure

In order to investigate your complaint as fully as possible, we have implemented a staged approach. We anticipate that almost all complaints can be resolved at Stage 1 or Stage 2.

We expect our members of staff to be addressed in a respectful manner and for communication to remain calm at all times. The procedure under Part 2 will be used only on very rare occasions to deal with unreasonably persistent complainants or unreasonable behaviour by the person complaining.

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

An anonymous concern or complaint will not be investigated under this procedure unless there are exceptional circumstances.

If it becomes necessary to alter the time limits and deadlines set out within this procedure, you will be advised accordingly and given an explanation as to why this has been the case and provided with revised timescales.

In this procedure:

- 'Working days' excludes weekends and holidays.
- 'Parent' means a parent, carer or anyone with legal responsibility for a child

PART 1: Complaints Procedure

Stage 1: Informal concerns

- 1.1. Individuals are always welcome to raise concerns about the Trust with an appropriate member of the Trust's staff by letter, by telephone or in person. It is helpful if you can explain the nature of your concerns and identify the outcome you are looking for.
- 1.2. Where you wish to discuss the matter in person, you may need to make an appointment, which can be arranged via the Trust's office. If a member of staff cannot immediately deal with the matter, a clear note will be made of your name and contact details and someone will contact you to discuss your concerns as soon as practicable. A degree of patience may be required as not all matters can be settled immediately.
- 1.3. If the matter is brought to the attention of the Chief Executive Officer ("CEO") s/he may decide to deal with your concerns directly at this stage. If the concerns are about the CEO these should be referred directly to the Chair of Trustees under Stage 2.
- 1.5. The member of staff dealing with the concern will make sure that you are clear on what action (if any) has been agreed. This may be put in writing if appropriate.
- 1.6. Where no satisfactory solution has been found within 15 working days, you will be advised that if you wish your concerns to be considered further you should write to the Chair of Trustees under Stage 2.

Stage 2: Formal complaint to the Chair of Trustees

- 2.1 If your concerns are not resolved under Stage 1 or you wish your concerns to be dealt with immediately as a formal complaint, you should put your complaint in writing and send this to the Chair of Trustees, The Keys Academy Trust, c/o Earley St Peter's CE Primary School, Church Road, Earley, Reading RG6 1EY

- 2.2 Your written complaint should include all details which might assist the investigation, such as the nature of the complaint, details of how the matter has been dealt with so far, the names of potential witnesses, dates and times of events and copies of all relevant documents. It is very important that you include a clear statement of the outcome you would like to achieve to resolve your complaint. You may wish to use the Complaint Form provided in Appendix A.
- 2.3 Your complaint will be acknowledged in writing within 3 working days of receipt. The acknowledgement will give a brief explanation of the Trust's complaints procedure and a target date for providing a response to the complaint. This will normally be within 15 working days.
- 2.4 The Chair of Trustees (or someone appointed by the Chair) will usually invite you to a meeting to clarify your complaint and to explore possible resolutions. If you accept that invitation, you may be accompanied by another person, such as a friend, relative, advocate or interpreter, to assist you. Where possible, this meeting will take place within 10 working days of receipt of the written complaint.
- 2.5 If necessary, witnesses will be interviewed and statements taken from those involved. If the complaint involves a pupil, the pupil should also be interviewed. Pupils should normally be interviewed with parents/carers present, but if this would seriously delay the investigation of a serious or urgent complaint or if the pupil has specifically said that s/he would prefer that parents/carers were not involved, another member of staff with whom the pupil feels comfortable should be present. If a member of staff is complained against, they must have the opportunity to present their case.
- 2.6 Once all the relevant facts have been established as far as possible, you will be provided with a written response to the complaint, including a full explanation of the decision and the reasons for it. This will include what action (if any) the Trust will take to resolve the complaint. You will be advised that if you are dissatisfied with the outcome of the complaint, you may request that your complaint be heard by the Trustees' Complaints Panel.
- 2.7 If, in the course of an investigation, a fault is identified, the Chair should take immediate action to put matters right so that any potential injustice does not continue or risk happening to somebody else.

What if the complaint is about the Chair of Trustees?

If the complaint is about the Chair of Trustees you should contact the Vice Chair.

Stage 3: Referral to the Trustees' Complaints Panel

- 3.1 If you are dissatisfied with the decision under Stage 2, you may request that the Trustees' Complaints Panel considers your complaint. Your request will be considered only if you have completed the relevant procedures at Stages 1 and 2.
- 3.2 To request a hearing by the Trustees' Complaints Panel, you should write to the Clerk to The Keys Academy Trust, Church Road, Earley, Reading RG6 1EY within 10 working days of receiving notice of the outcome of Stage 2. You should ensure that you provide copies of all relevant documents and state all the grounds for your complaint and the outcome that you desire. You may wish to use the Complaints Panel Request Form provided in Appendix B.
- 3.3 Your written request will be acknowledged within 3 working days of receipt.
- 3.4 The Clerk to the Trustees will arrange for a Complaints Panel to be convened, made up of at least two Trustees with no prior involvement in the matter and at least one person who is independent of the management and running of KAT and its schools. The Chair of Trustees may sit on, or chair the

Complaints Panel if appropriate, or appoint another member to be chair. It will not normally be appropriate for the CEO to sit on the panel.

3.5 Every effort will be made to enable the hearing to take place within 20 working days of the receipt of your request. As soon as reasonably practicable and in any event at least 5 working days before the hearing, you will be sent written notification of the date, time and place of the hearing, together with brief details of the Complaints Panel members who will be present. Fair consideration will be given to any bona fide objection to a particular member of the panel. The notification will also inform you of your right to be accompanied to the hearing by a friend, relative, advocate or interpreter and explain how the hearing will be conducted.

3.6 A copy of the complaint and any other documents provided by you in support of your complaint or by the Trust in response to the complaint shall be provided to the Complaints Panel as soon as practicable upon receipt. Copies of these documents shall also be provided to you and the Chair of Trustees (as applicable). The Complaints Panel reserves the right not to consider any documentation presented by either you or the Trust less than 3 working days prior to the hearing. The Complaints Panel is under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account if it considers this appropriate.

3.7 The hearing will be conducted so that those present have the opportunity to present their case, ask questions and make comments in an appropriate manner. The Clerk to the Trustees or a nominated deputy will ensure that sufficient notes are taken to record an accurate reflection of the points considered and any decisions taken or actions agreed.

3.8 The hearing will allow for:

- The complainant to explain their complaint and the Chair of the Panel to explain the Trust's response
- The opportunity for both parties to ask questions of each other about the complaint
- Panel members to have an opportunity to question both the complainant and the Trust
- Any party to call witnesses (subject to approval of the Panel) and all parties having the right to question any witnesses
- Final statements by both the complainant and the Trust

3.9 After the hearing, the Complaints Panel will consider their decision and inform you of their decision in writing within 5 working days. The Panel can (by a majority if necessary):

- 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 systems or procedures with a view to ensuring that problems of a similar nature do not happen again

You will be advised that if you are dissatisfied with the outcome of the complaint, you may request a review of the Trustees' Complaints Panel decision under Stage 4.

Stage 4 Referral of complaint to Education and Skills Funding Agency (ESFA)

4.1 If you are dissatisfied with the decision of the Trustees' Complaints Panel, you are entitled to refer your complaint to the Education and Skills Funding Agency (ESFA), who have limited powers to review the handling of the complaint in accordance with ESFA's 'Procedure for dealing with complaints about Academies'. At the time of writing contact details for the ESFA may be found at <https://www.gov.uk/government/organisations/education-and-skills-funding-agency>

Records of complaints

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

PART 2: Unreasonably persistent complainants and unreasonable complainant behaviour

There are rare circumstances where the Trust may vary the Complaints Procedure set out in Part 1. These include, but are not necessarily limited to:

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

In these circumstances, the Trust may:

- Inform the complainant that their behaviour is unacceptable or unreasonably persistent and ask them to change it
- Restrict the complainant's access to the Trust e.g. requesting contact in a particular form (for example, letters only), requiring contact to take place with a named person only, restricting telephone calls to specified days and times or banning the complainant from the Trust's premises
- Conduct the Trustees' Complaints Panel on the papers only i.e. not hold a hearing
- Refuse to consider the complaint and refer the complainant directly to Stage 4

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

Where the behaviour is so extreme that it threatens the immediate safety and welfare of staff or Trustees, we will consider other options, for example reporting the matter to the police or taking legal action. In such cases, we may not give the complainant prior warning of that action.

Formal Complaint Form

Appendix A

Please complete this form and return it to the Trust's office, at The Keys Academy Trust, Church Road, Earley, Reading RG6 1EY, together with any accompanying pages or documents, in a sealed envelope marked 'For the Attention of the Chair of Trustees. If your complaint is about the Chair of Trustees, please mark the envelope 'For the Attention of the Vice Chair of Trustees'.

Your name:

Relationship with the Trust:

.....

Pupil's name (if relevant to your complaint):

.....

Your address:

Telephone numbers

Daytime:

Evening:

E-mail address:

Please give concise details of your complaint (including dates, names of witnesses etc) to allow the matter to be investigated fully.

You may continue on separate paper, or attach additional documents, if you wish.

Number of Additional pages attached =

What action, if any, have you already taken to try to resolve your complaint? (i.e. who have you spoken with or written to and what was the outcome?)

What action or outcome do you feel might resolve the problem at this stage?

Signature:

Date:

<u>Trust use:</u>	
Date Form received:	
Received by:	
Date acknowledgement sent:	Acknowledgement sent by:

Complaint referred to:			
Date:			

Trustees' Complaints Panel Request Form

Appendix B

Please complete this form and return it to the Trust's office, The Keys Academy Trust, c/o Earley St Peter's CE Primary School, Church Road, Earley, Reading RG6 1EY, together with any accompanying pages or documents, in a sealed envelope marked 'For the Attention of the Clerk to the Trustees.

You should ensure that your request is received by the Trust within 10 working days of receipt of the decision letter from the Vice/Chair of Trustees.

Your name:

Your address:

Telephone numbers: Daytime: Evening:

Email address:

Dear Sir/Madam,

I submitted a formal complaint to the Trust on and I received a response from on

I am dissatisfied by the [decision that was made][procedure that has been followed] (*please delete as appropriate*). I therefore wish for the Trustees' Complaints Panel to be convened to hear my complaint.

I have attached copies of my formal complaint and of the response(s) from the Trust. I am dissatisfied with the [decision that was made][procedure that has been followed] (*please delete as appropriate*), because:

You may continue on separate paper, or attach additional documents, if you wish.

Number of Additional pages attached =

What action or outcome do you feel might resolve the problem at this stage?

Signature:

Date:

Trust use only

Date Form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Request referred to:			
Date:			