



Complaints Procedure

Author / Responsible Person	Trust Complaints Manager
Ratified by	CEO
Date Ratified	June 2023
Next Review Date	September 2024
Review Cycle	Annual

1. Who can make a complaint?

- 1.1 This complaints procedure is not limited to parents or carers of children that are registered at academies within Future Academies. Any person who has a legitimate connection or interest in academy provision, including members of the public, may make a complaint to an academy 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. All complaints will be taken seriously but we will prioritise provision for existing students and families.

2. The difference between a concern and a complaint

- 2.1 A concern may be defined as *'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'*.
- 2.2 A complaint may be defined as *'an expression of dissatisfaction however made, about actions taken or a lack of action'*.
- 2.3 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. Future Academies takes concerns and complaints seriously and will make every effort to resolve matters as quickly as possible.
- 2.4 If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Principal or Head of School will refer you to another member of staff. Similarly, if the member of staff directly involved feels unable to deal with a concern/complaint, they 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.
- 2.5 We understand, however, that there are occasions when people would like to raise their concerns formally. In this case, Future Academies will attempt to resolve the matter internally through the stages outlined within this complaints procedure.

3. How to raise a concern or make a complaint

- 3.1 An informal 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 of a complainant, as long as they have appropriate consent to do so.
- 3.2 Complaints against school staff (except the Principal or Head of School) should be made in the first instance to the Principal or Head of School via the school office or email address. Please mark the correspondence as Private and Confidential.
- 3.3 Complaints that involve or are about the Principal or Head of School should be addressed to the CEO of Future Academies via info@futureacademies.org or by post to the head office. Please mark the correspondence as Private and Confidential.
- 3.4 Complaints about the Chair of a local governing body, any individual governor or the whole of a local governing body should be addressed to the Trust Complaints Manager via info@futureacademies.org or by post to the head office. Please mark the correspondence as Private and Confidential.
- 3.5 Complaints about the Chief Executive Officer (CEO) or a member of the Trust Board should be addressed to the Clerk to Trustees via info@futureacademies.org or by post to the head office. Please mark the correspondence as Private and Confidential.
- 3.6 For ease of use and where possible, we strongly encourage you to use Appendix A: Complaints Form included at the end of this document. If you require help in completing the form, please contact the relevant academy. You can also ask a third-party organisation, such as Citizens Advice, to help you.
- 3.7 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.

4. Anonymous complaints

- 4.1 We will not normally investigate anonymous complaints. However, the Principal, Head of School or Trust Complaints Manager will determine whether the complaint warrants an investigation.

5. Indicative Timescales

5.1 Timescales for each stage of the complaints procedure are listed below.

Stage 1 – informal complaints	Timing
Acknowledgement of complaint	5 days from receipt of complaint
Outcome of any investigation	10 days from receipt of complaint
Stage 2 – formal complaints - academy based	
Acknowledgement of complaint	5 days from receipt of complaint
Response to complaint	10 days from receipt of complaint
Stage 3 – formal complaints – Trust based	
Acknowledgement of complaint	5 days from receipt of complaint
Response to complaint	15 days from receipt of complaint
Stage 4 – formal complaints – panel hearing	
Acknowledgement of complaint	5 days from receipt of complaint
Panel hearing convened	15 days from receipt of complaint
Panel Hearing outcome	10 days after panel hearing

5.2 You must raise your initial complaint within 10 school days of the incident and a maximum of 3 months or, where a series of associated incidents have occurred, within 3 months of the last of these incidents. If exceptional circumstances apply, we will consider complaints made outside of this time frame.

6. Complaints received outside of term time

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

7. Scope of this complaints procedure

7.1 This procedure covers all complaints about any provision of community facilities or services by Future Academies.

7.2 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 the complainant of a proposed new timescale.

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

7.4 Complaints that are dealt with under other statutory procedures/policies are listed below.

Subject of concern/complaint	Who to contact
Admissions to academies	Concerns about admissions should be handled through a separate process through the appeals process.
Matters likely to require a Child Protection Investigation	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH).</p> <p>If the complaint relates to a serious safeguarding concern or an allegation of abuse, the Principal/Head of School must be informed directly, as well as the Future Academies CEO via info@futureacademies.org</p>
Exclusion of pupils from an academy	<p>Details of how to raise concerns about exclusions are detailed in letters notifying parents/carers of exclusions and within the behaviour/exclusion policies.</p> <p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p>
Whistleblowing	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus.</p>
Staff grievances	Complaints from staff will be dealt with under the Trust Grievance Policy.
Staff conduct	<p>Complaints about staff will be dealt with under the Trust disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
Conduct of Trust staff (not school-based)	Please contact the Trust Complaints Manager via info@futureacademies.org with details of your complaint, and the matter will be passed to the most appropriate person to investigate.
National Curriculum content	Please contact the Department for Education at www.education.gov.uk/contactus .
Complaints about external agencies who use academy premises or facilities	External agencies or companies should have their own procedures to deal with complaints about the services they offer. Please contact them directly.

8. Resolving complaints

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

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the same issue 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 policies or processes in light of the complaint
- an apology.

9. Withdrawal of a complaint

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

10. Stage 1 – Informal complaints

10.1 It is hoped that most concerns or complaints can be expressed and resolved on an informal basis. If appropriate, concerns or complaints should be raised directly with the member of staff involved with the issue, in the first instance. If not, with their line manager.

10.2 We encourage complainants to use Appendix A: Complaints Form

10.3 Complainants should not approach members of a local governing body or a Trustee 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 other stages of the procedure.

10.4 At the conclusion of their initial investigation, the appropriate person investigating the complaint will provide an informal response within 10 school days of the date of receipt of the complaint.

10.5 If the complainant feels the concern raised has been unresolved at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2.

11. Stage 2 – Formal Complaints – Academy Based

- 11.1 Formal complaints must be made to the Principal or Head of School (unless they are about the Principal or Head of School, the CEO, local governors or Trustees) via the academy office. This can be done in person or in writing, preferably using Appendix A: Complaints Form.
- 11.2 The Principal or Head of School will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.
- 11.3 Within this acknowledgement, the Principal or Head of School will seek to clarify the nature of the complaint, clarify or ask what remains unresolved and what outcome the complainant would like to see. The Principal or Head of School can consider whether a face-to-face/phone/online meeting is the most appropriate way of doing this.
- 11.4 The Principal or Head of School may delegate the investigation to another member of the academy's senior leadership team.
- 11.5 During the investigation, the Principal, Head of School or Investigator will:
- if necessary, interview those involved in the matter and/or those complained about
 - If necessary, interview any person who may have information useful to the investigation
 - keep a written record of any meetings/interviews in relation to their investigation.
- Depending on the nature of the complaint, the investigation may consist of informal fact-finding activities or a more formal approach.
- 11.6 At the conclusion of their investigation, the Principal, Head of School or Investigator will provide a formal written response. This should be within 10 school days of the date of receipt of the complaint.
- 11.7 If the Principal, Head of School or Investigator is unable to meet this deadline, they will provide the complainant with an update and revised response date.
- 11.8 The response will detail any actions taken to investigate the complaint, any recommendations made to individuals or teams and any individual recommendations made. Where appropriate, it will include details of actions the academy will take to resolve the complaint.
- 11.9 The Principal or Head of School will advise the complainant on how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

12. Stage 3 – Formal Complaints – Trust Based

12.1 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.

12.2 The complainant should send details to the Trust Complaints Manager:

- the original complaint
- the outcome of Stage 2
- full details of why they are dissatisfied with the outcome at Stage 2 sent by the Principal or Head of School
- how they would like this matter resolved.

We strongly encourage the complainant to use Appendix A: Complaints Form.

12.3 A request to escalate to Stage 3 must be made to the Trust Complaints Manager via info@futureacademies.org within 5 days of receipt of the Stage 2 outcome.

12.4 The Trust Complaints Manager will assign a senior member of staff to consider whether the complaint has been adequately addressed at Stage 2. If necessary, the senior member of staff will carry out investigative activities to gather any additional information which could be relevant. This would usually include a conversation with the complainant.

12.5 If there is a further investigation, on its conclusion, the senior member of staff will make recommendations as to how this matter should be resolved. This will be within 15 school days of the written request to escalate the complaint to Stage 3.

12.6 During Stage 3, the senior manager will:

- if necessary, interview those involved in the matter and/or those complained about
- If necessary, interview any person who may have information useful to the investigation
- Consider any documentary evidence that is relevant to the complaint
- keep a written record of any meetings/interviews in relation to their investigation.

Depending on the nature of the complaint, the investigation may consist of informal fact-finding activities or a more formal approach.

12.7 At the conclusion of their investigation, the senior manager will provide a formal written response. This should be within 15 school days of the date of receipt of the request to escalate to Stage 3.

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

12.9 The response will detail any actions taken to investigate the complaint, any recommendations made to individuals or teams and any individual recommendations made. Where appropriate, it will include details of actions the Trust will take to resolve the complaint.

12.10 If the complainant is dissatisfied with the outcome of Stage 3, the response will detail how to escalate to Stage 4.

13. Stage 4 – Formal Complaints - Panel Hearing – Final Stage

- 13.1 If the complainant is dissatisfied with the outcome at Stage 3 and wishes to take the matter further, they can escalate the complaint to Stage 4.
- 13.2 Stage 4 consists of a panel hearing held by at least three people who have not been directly involved in the matters detailed in the complaint. Each panel member will be independent of the management of the school. This is the final stage of the complaints procedure.
- 13.3 A request to escalate to Stage 4 must be made to the Trust Complaints Manager via info@futureacademies.org within 5 school days of receipt of the Stage 3 response, using Appendix A: Complaints Form, if possible.
- 13.4 The Trust Complaints Manager will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.
- 13.5 Requests received outside of this timeframe will only be considered if exceptional circumstances apply.
- 13.6 The Trust Complaints Manager will aim to convene a meeting within 15 school days of receipt of the Stage 4 request. If this is not possible, the Trust Complaints Manager will provide an anticipated date for the hearing.
- 13.7 If the complainant rejects the offer of the proposed date, the Trust Complaints Manager will offer one further date. If this is rejected, the Trust Complaints Manager will set a date to hold the meeting. The meeting will then proceed in the complainant's absence if they are unable to attend this third date.
- 13.8 When the date of the hearing has been set, a Clerk will inform the complainant of the date and details of the hearing process.
- 13.9 At least 5 school days before the meeting, the Clerk will:
- reconfirm and notify the complainant of the date, time and venue of the hearing
 - reconfirm details of the hearing process and attendees
 - request copies of any further written material to be submitted to the panel at least 2 school days before the hearing.
- 13.10 Any written material will be circulated to all parties at least 2 school days before the date of the hearing. The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.
- 13.11 The panel 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 at Stage 1 of the procedure.

- 13.12 The hearing 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.
- 13.13 The complainant may bring a friend or relative to the panel hearing to provide support. The complainant must inform the Clerk if it is their intention to bring someone. Generally, we do not encourage either party to bring legal representatives to the hearing. We recognise that there may be occasions when legal representation is appropriate, for example, if an employee is called as a witness to the panel meeting, they may wish to be supported by their union representative. The decision will be at the discretion of the Chair of the panel.
- 13.14 Representatives from the media are not permitted to attend the panel hearing.
- 13.15 The panel will consider the complaint and all the evidence presented. The panel can:
- uphold the complaint in whole or in part
 - dismiss the complaint in whole or in part.
- 13.16 If the complaint is upheld in whole or in part, the panel will:
- decide on the appropriate action to be taken to resolve the complaint
 - where appropriate, recommend changes to the school or Trust's systems or procedures to prevent similar issues in the future.
- 13.17 The Chair of the panel will provide the complainant and the Trust with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days.
- 13.18 The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled by the Trust.
- 13.19 The panel will ensure that those findings and recommendations are sent by email to the complainant and, where relevant, the person complained about, via the Clerk.
- 13.20 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.
- 13.21 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. Exceptions to the escalation between stages of the complaints procedure

14.1 Future Academies is committed to dealing with all concerns and complaints fairly and impartially.

14.2 We will not normally limit the contact complainants have with our schools. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

14.3 Future Academies reserves the right not to progress complaints through all stages if they are deemed to be one or more of the following:

1. **Vexatious complaints**

A vexatious complaint is one that is pursued, regardless of its merits, solely to harass, annoy or subdue somebody; something that is unreasonable, without foundation, frivolous, repetitive, burdensome or unwarranted.

2. **Unreasonable complaints**

The following is taken from the Department of Education's definition of unreasonable behaviour and complaints:

Unreasonable behaviour is defined as that which hinders the consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to cooperate with the complaints investigation process
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- raises large numbers of detailed but unimportant questions and insists they are fully answered, often immediately and to their own

timescales

- makes unjustified complaints about staff who are trying to deal with the issues and seeks to have them replaced
- changes the basis of the complaint as the investigation proceeds
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed, including referral to the Department for Education
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

14.4 Whenever possible, the Trust Complaints Manager will communicate any concerns with the complainant informally before applying an '*unreasonable*' marking.

14.5 If the complaint is deemed unreasonable, wherever possible, and if appropriate, the Trust Complaints Manager will inform the complainant in writing that the complaint has been dismissed as unreasonable.

14.6 As a consequence of the above Department of Education guidance, complaints will not automatically be escalated between stages and trigger new investigations but reviewed as to whether there is anything further to investigate to justify the next stage in the process.

15. Reporting and recording complaints

- 15.1 If a concern or a complaint is made direct to Future Academies, the complainant will be asked to complete, where possible, Appendix A: Complaints Form, for submission to the most appropriate person in accordance with the information above.
- 15.2 At each stage, if the complainant is not satisfied with the outcome, Appendix A: Complaints Form, will need to be completed, where possible, indicating the stage at which the complaint has reached.
- 15.3 The Trust considers it good practice to also record concerns dealt with at Stage 1 and the actions taken.
- 15.4 All correspondence, statements, and records relating to individual complaints will be kept confidential, except in limited circumstances, to comply with specific acts or statutory law. This includes Data Protection and Freedom of Information, or where the Secretary of State or a body conducting an inspection under S.109 of the 2008 Act requests access to them.
- 15.5 Future Academies will regularly monitor the level of concerns and complaints and review the outcomes.

16. Complaints escalated to/about the Trust, CEO or a Trustee

- 16.1 All complaints about the Trust should be sent to info@futureacademies.org
Details are listed below as to who will lead each stage of the complaints procedure.
- 16.2 If a complaint is escalated to Future Academies, or if a complainant wishes to complain directly about the Trust, then the complaint should be sent to info@futureacademies.org for the attention of the Trust Complaints Manager.
- 16.3 The Trust Complaints Manager will write to the complainant acknowledging the complaint within 5 school days of the date that the written request was received. The acknowledgement will confirm which stage the complaint will be addressed under and will confirm the date for providing a response to the complainant.

- 16.4 Following any investigation, the Trust Complaints Manager will write to the complainant confirming the outcome within the timescale listed in this policy under the relevant stage. If this time limit cannot be met, the Trust Complaints Manager will write to the complainant, explaining the reason for the delay and providing a revised date.
- 16.5 If a complaint is received about the CEO, this will be managed by the Chair of the Trust Board.
- 16.6 If a complaint is received about a Trustee, the complaint will be managed by the Chair of the Trust Board.
- 16.7 If a complaint is received about the Chair of the Trust board, the Clerk to the Trust board will refer the complaint to another Trustee to manage the complaint.
- 16.8 If the complainant is not satisfied with the outcome of the previous stage, if escalated, the complaint will be managed in accordance with the table below.
- 16.9 If the complaint reaches Stage 4, it will be heard by an independent panel.

16.10 Table 1: Responsible parties Stages 1 to 4

If the complaint is about	Stage 1	Stage 2	Stage 3	Stage 4
Principal or Head of School	CEO will delegate to a member of the executive team	CEO will delegate to a different member of the executive team	CEO will manage this stage. An external investigator may be commissioned	An independent panel
A member of the local governing body	Trust Complaints Manager will delegate to a senior member of staff	Trust Complaints Manager will delegate to another senior member of staff	Trust Complaints Manager will manage this stage with the Clerk to Trustees and/or a Trustee	An independent panel
Trust staff (not school-based)	Trust Complaints Manager will delegate to the relevant line manager	Trust Complaints Manager will delegate to a senior member of staff	Trust Complaints Manager will delegate to another senior member of staff	An independent panel
CEO	Chair of Trustees will manage this stage. It may be delegated to another Trustee or an external investigator.	Chair of Trustees will manage this stage. It may be delegated to a different Trustee or an external investigator.	Chair of Trustees will manage this stage. It may be delegated to a different Trustee or an external investigator.	An independent panel
A member of the Trust board	Clerk to Trustees will agree with the Chair of Trustees who will handle stage 1	Clerk to Trustees will agree with the Chair of Trustees who will handle stage 2. An external investigator may be commissioned	The Clerk to Trustees will agree with the Chair of Trustees who will handle stage 3. An external investigator may be commissioned	An independent panel
Chair of the Trust Board	A member of the Trust board will handle Stage 1	A different member of the Trust board will handle Stage 2. An external investigator may be commissioned	A different member of the Trust board will handle Stage 3. An external investigator may be commissioned	An independent panel
The Trust	The Trust Complaints Manager will delegate to a member of the executive team	The Trust Complaints Manager will delegate to a different member of the executive team	The Trust Complaints Manager will manage this stage. An external investigator may be commissioned.	An independent panel

17. Next Steps

- 17.1 If the complainant believes the academy or Trust did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the ESFA after they have completed Stage 4.
- 17.2 The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by Future Academies. They will consider whether Future Academies 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](#).
- 17.3 The complainant can refer their complaint to the ESFA 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 Skills Funding Agency
Cheylesmore House
5 Quinton Road
Coventry
CV1 2WT

---END---

Appendix A: Future Academies | Complaints Form

Please complete and return to the academy in question or the Future Academies Trust Complaints Manager at info@futureacademies.org - marked **Private and Confidential**

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: Postcode: Daytime telephone number: Evening telephone number: Email address:
Please circle the current stage at which the complaint is at: Stage 1 Stage 2 Stage 3 Stage 4
Please give details of your complaint

If progressing your complaint to stages 2, 3 or 4, why was the response from the previous stage not satisfactory?

What actions do you feel might resolve your complaint at this stage?

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

Signature:

Please print name:

Date: