



DUDLEY ACADEMIES TRUST

Compliments & Complaints Procedure

Issue number:	004
Approved by:	Board of Trustees
Approved on:	February 2022
Reviewed on:	January 2022
Next review date:	January 2023



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Our mission: Working together we will develop inspirational schools which instil ambition and desire in young learners, open their minds, widen their horizons and equip them to succeed in a challenging world.

Contents

1. Introduction.....	3
Our values	3
2. Legislation and guidance.....	3
3. Compliments	3
4. Complaints and concerns	3
Guidance on how to raise a concern or make a complaint.....	4
Anonymous complaints	5
Time scales	5
Complaints received outside of term time	5
5. Scope of this Complaints Procedure	5
6. Structure for the formal complaints procedure.....	6
Stage 1	7
Stage 2	8
Stage 3	8
Next steps	11
Form: How Are We Performing?	12

1. Introduction

Dudley Academies Trust is committed to providing high-quality services. Feedback is essential to this and we welcome all compliments, complaints and suggestions.

Our values

We have five values that express and represent our shared understanding of the principles that are important to us as an organisation. Developed in partnership with our schools, they set out the things we aspire to achieve as an organisation and underpin everything we do.

1. Dreaming big.
2. Rewarding effort.
3. Leading together.
4. Respecting each other and our world.
5. Learning that inspires.

2. 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/carers of learners at the academy.

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).

This policy complies with our funding agreement and articles of association.

3. Compliments

A compliment may be defined as *“an expression of praise, admiration, or congratulation about the standards of service or actions by Dudley Academies Trust or its staff”*.

We welcome all compliments and will notify relevant colleagues or learners of any compliments received. For ease of use, a template **‘How Are We Performing?’** form is included at the end of this procedure.

4. Complaints and concerns

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

A complaint may be defined as ‘an expression of dissatisfaction however made, 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. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Dudley Academies Trust will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

Guidance on how to raise a concern or make a complaint

A concern or complaint can be made in person, in writing or by telephone. It may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so. Concerns should be raised with either the class teacher or Principal. If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual governors (local advisory committee members) 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 a later stage in the procedure.

Complaints against school staff (except the principal) should be made in the first instance, to the Principal via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the principal should be addressed to Jo Higgins (Chief Executive for Dudley Academies Trust) via the Trust central offices. Please mark them as Private and Confidential.

Dudley Academies Trust
Executive Offices, Priory Villa
Dudley College of Technology
West Midlands
DY1 4AS
Email: jo.higgins@dudleycol.ac.uk

Complaints about the Chair of the Board of Trustees, any individual Trustee, Local Advisory Committee member or the entirety of the Board of Trustees should be addressed to Gill Darwood (Director of Corporate Governance at Dudley Academies Trust) via the Trust Central offices at the address above or by email to gill.darwood@dudleycol.ac.uk. Please mark them as Private and Confidential.

For ease of use, a template ‘**How Are We Performing?**’ 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 third party organisations like the Citizens Advice to help you.

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.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the Principal, Chief Executive or Chair of the Board of Trustees, if appropriate, will determine whether the complaint warrants an investigation.

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.

Complaints received outside of term time

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

5. Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by Dudley Academies Trust or its academies, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Relevant Policy/Procedure
<ul style="list-style-type: none"> • Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation proposals 	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals are dealt with under the relevant policy and in accordance with statutory guidance.
<ul style="list-style-type: none"> • Matters likely to require a Child Protection Investigation 	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.

	If you have serious concerns, you may wish to contact the Safeguarding and Compliance Officer for Dudley Academies Trust Rebecca.Meacham@dudleycol.ac.uk
<ul style="list-style-type: none"> • Exclusion of children from school* 	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i></p>
<ul style="list-style-type: none"> • Whistleblowing 	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.
<ul style="list-style-type: none"> • Staff grievances 	Complaints from staff will be dealt with under the school's internal grievance procedures.
<ul style="list-style-type: none"> • Staff conduct 	<p>Complaints about staff will be dealt with under the school's internal 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>
<ul style="list-style-type: none"> • Complaints about services provided by other providers who may use school premises or facilities 	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.

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

6. Structure for the formal complaints procedure

The below structure provides an overview of the Trust formal complaints procedure.

Stage 1	<ul style="list-style-type: none"> • The first point of contact is the Principal of the individual academy.
Stage 2	<ul style="list-style-type: none"> • The second point of contact is the Chief Executive of Dudley Academies Trust.
Stage 3	<ul style="list-style-type: none"> • The third point of contact is the appeals committee for Dudley Academies Trust.
Next steps	<ul style="list-style-type: none"> • Refer to the Department for Education.

Stage 1

Formal complaints must be made to the Principal (unless they are about the Principal), via completing and returning a **‘How Are We Performing?’ form**. For ease of use, a template ‘How Are We Performing?’ form is included at the end of this procedure

The principal’s office 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.

Within this response, the principal will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Principal can consider whether a face to face meeting is the most appropriate way of doing this.

Note: The Principal may delegate the investigation to another member of the school’s senior leadership team (SLT) however, the response will be provided by the Principal.

During the investigation, the Principal (or SLT 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/interviews in relation to their investigation.

At the conclusion of their investigation, the Principal or SLT investigator will provide a formal written response within 10 school days of the date of receipt of the complaint. If the Principal 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 the academy or Dudley Academies Trust will take to resolve the complaint. The principal will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

Stage 2

Formal complaints must be made to Jo Higgins, Chief Executive of Dudley Academies Trust (unless they are about the Chief Executive), in writing.

The executive office 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**.

Within this response, the Chief Executive will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Chief Executive can consider whether a face-to-face meeting is the most appropriate way of doing this.

During the investigation, the Chief Executive 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.

At the conclusion of their investigation, the Chief Executive will provide a formal written response within 10 school days of the date of receipt of the complaint. If the Chief Executive 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 the academy or Dudley Academies Trust will take to resolve the complaint. The Chief Executive will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

Stage 3

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 – a meeting with members of the Board of Trustees complaints committee, which will be formed of the first three, impartial, Trustees available. This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the Clerk (Gill Darwood, Director of Corporate Governance) within 5 school days of receipt of the Stage 2 response. The Clerk 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. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

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 3 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed. 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.

The complaints committee will consist of at least three Trustees with no prior involvement or knowledge of the complaint. One of the members of the panel will be independent of the management and running of the academy. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than three members of the Board of Trustees available, the Clerk will identify any additional, independent Local Advisory Committee members, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 3.

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. Generally, we do not encourage either party to bring their child or legal representatives to the committee meeting. However, there may be occasions when either 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.

Note: *Complaints about staff conduct will not generally be handled under this complaint's 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.*

Representatives from the media are not permitted to attend.

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.

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.

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.

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.

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.

The Chair of the Committee will provide the complainant and Dudley Academies 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 Department for Education if they are dissatisfied with the way their complaint has been handled.

If the complaint is:

- Jointly about the Chair and Vice Chair of the Board of Trustees or
- About the entire Board of Trustees or
- About most of the Board of Trustees or

Stage 3 will be heard by a committee of independent members.

At the conclusion of the Stage 3 hearing, a decision on the response will be taken. Complainants will be informed of this decision including, details of any actions taken to investigate the complaint, the reason(s) for it and any recommendations made, in writing. Where appropriate, it will include details of actions the academy will take to resolve the

complaint. This written decision should be provided no later than 10 working days after the Stage Three Appeal.

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 academy premises by the principal. 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.

A written record will be kept of all complaints, and 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.

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.

Next steps

If the complainant believes that Dudley Academies 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 3.

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by Dudley Academies Trust. They will consider whether Dudley Academies Trust 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 ESFA online 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

Form: How Are We Performing?

Please take a moment to complete and return the 'how are we performing' form. You can submit your form by returning it to the academy reception for the attention of the Principal or by emailing it to info@dudleyacademiestrust.org.uk marked private and confidential. Further information can be found via the Compliments & Complaints procedure on the Dudley Academies Trust website.

Date:	
Your name:	
Telephone / mobile number:	
Email address:	
Home address:	
Preferred method of communication (<i>please tick</i>):	Email Post
I am a: (<i>please tick</i>)	Parent/carer Staff member Learner Member of the community
Learner name (<i>if relevant</i>):	
Learner year:	
Relationship to learner:	
I would like to submit a: (<i>please tick</i>)	Compliment Complaint Suggestion
I am completing this form about: (<i>please tick</i>)	Dudley Academies Trust Beacon Hill Academy Pegasus Academy St James Academy The Link Academy Other
Please give details:	

Please give details (*continued*):

If this is a complaint, what action do you feel might resolve the problem at this stage?

For office use only

Date received:	
Received by:	
Acknowledgement sent:	
Action by date:	

All complaints will be investigated as fairly and fully as possible. We will acknowledge your complaint within 5 working days of receipt of the complaint. We will endeavour to respond fully to your satisfaction within 10 working days. If a full response is not possible within the time, you will be told how your complaint is being handled. Every effort will be made to put right the situation leading to the complaint in accordance with our compliments, complaints and suggestions procedure.

Dudley Academies Trust is committed to the development of positive policies to promote equal opportunities for all people regardless of age, disability, gender (including gender reassignment), relationship status, pregnancy/maternity, race, religion/belief, or sexual orientation. The information is confidential and will be used only to monitor the effectiveness of this procedure.

Data Protection Act 1998: Personal data that the Trust receives as a compliment/complaint/suggestion on this form or in other ways, will be used by Dudley Academies Trust as a way of listening to local people and service users, to respond to issues raised and to improve services. Data may be shared with other organisations to respond to specific issues that may be raised. Data will not be used for purposes other than the purpose set out above.



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