



LEGRA
ACADEMY
TRUST

Complaints Policy

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1. Introduction

This policy applies to every academy in Legra Academy Trust ("the Trust"): Belfairs Academy and Darlington Academy. In this policy, "the academy" means whichever of the Trust's academies the complaint concerns. Our academies value good relationships with parents, carers and the wider community. We aim to resolve concerns and complaints promptly, fairly and, wherever possible, to the satisfaction of everyone involved.

We welcome feedback on what we do well and what we could do better. We will consider all feedback carefully, treat every concern and complaint seriously and courteously, and use what we learn to review our policies and practice. In return, we ask complainants to behave respectfully towards all members of the academy community and not to raise disagreements with the academy inappropriately or in front of students.

This policy meets the requirements of Part 7 of the Schedule to the Education (Independent School Standards) Regulations 2014, which apply to academies through their funding agreement, and follows the Department for Education's (DfE) best practice guidance for academy complaints procedures.

All staff across the Trust, and members of each Local Governing Body and of the Board of Trustees, will be familiar with this policy and will help anyone who wishes to raise a concern or complaint. The policy is published on each academy's website and a paper copy is available free of charge from each academy's reception.

2. Definitions and scope

Concerns and complaints

A **concern** is an expression of worry or doubt over an issue that a person considers important and for which they want reassurance. A **complaint** is an expression of dissatisfaction, however made, about actions taken or a lack of action. Most concerns can be resolved informally at Stage 1 without the need for a formal complaint.

Who can make a complaint

This policy is for parents and carers of students at the academy, and for members of the public who wish to complain about a service or facility the academy provides.

Terms used in this policy

- **School days:** Monday to Friday during term time, when the academy is open to students. All timescales in this policy are given in school days.
- **Headteacher:** the senior leader responsible for the day-to-day running of the academy. At Belfairs Academy this is the Head of School; at Darlington Academy it is the Principal.
- **Chief Executive Officer (CEO):** the Chief Executive Officer of Legra Academy Trust.
- **Local Governing Body (LGB):** each academy's local governing body, which acts under the Trust's scheme of delegation. The **Chair of the LGB** leads it.
- **Board of Trustees:** the Trust's board, which is the legal proprietor of the

academy. The **Chair of Trustees** leads it.

- **Clerk:** the Clerk to the Local Governing Bodies and the Board of Trustees (governance professional), who is the contact point for Stage 4 and for complaints about the CEO, governors, trustees or the Trust.

Matters not covered by this policy

Some matters have their own statutory or separate procedures and are not dealt with under this policy:

Matter	Where it is dealt with
Admissions	Admissions appeals: heard by an independent appeal panel arranged by the Trust as admission authority, in line with the School Admission Appeals Code
Suspensions and permanent exclusions	The statutory exclusions process (DfE guidance on suspension and permanent exclusion)
Special educational needs (EHC needs assessments and plans)	The local authority and, where relevant, the SEND Tribunal. Concerns about SEN provision in the academy can be raised under this policy.
Safeguarding and child protection	The academy's Child Protection and Safeguarding Policy and the local authority designated officer (LADO), where appropriate
Whistleblowing	The Trust's Whistleblowing Policy
Staff grievances and staff conduct	The Trust's grievance and disciplinary procedures. Complainants will be told that action has been taken but not the details of any staff disciplinary outcome.
Services provided by other organisations on the academy site	The provider's own complaints procedure

If a complaint is raised about one of these matters, we will explain which procedure applies and how to use it.

3. Principles and timescales

Making a complaint

Complaints should be raised as soon as possible, and normally within **three months** of the incident or, for a series of incidents, the last of them. We will consider complaints made outside this time only in exceptional circumstances.

Complaints at Stage 1 can be raised in person, by telephone or in writing. From Stage 2 onwards, complaints must be made in writing. **Anyone who needs help to do this**, for example, because of a disability or because English is not their first language, can ask any member of staff for support. We can take a complaint down on the complainant's behalf and read it back to them and can arrange translation or alternative formats where needed.

Complaints made during school holidays

Complaints received outside term time, including half-term, will be treated as received on the **first school day after the holiday**. All timescales start from that day.

Summary of timescales

Stage	Who deals with it	Acknowledgement	Response
Stage 1: Informal	Relevant member of staff (e.g. form tutor, class or subject teacher, Year Leader, or a Vice Principal)	Within 2 school days	Aim to resolve within 5 school days
Stage 2: Formal complaint	Head of School (BA) Principal (DA)	Within 3 school days	Written outcome within 10 school days of acknowledgement
Stage 3: CEO review	Chief Executive Officer	Within 3 school days	Written outcome within 10 school days of acknowledgement
Stage 4: Complaints Panel	Panel of at least three, convened by the Clerk	Within 5 school days	Hearing within 20 school days of acknowledgement; written findings within 5 school days of the hearing

A complainant who wishes to move to the next stage should do so within **10 school days** of receiving the outcome of the previous stage.

If a complaint needs further investigation and it is clear that a published timescale cannot be met, we will set a new deadline and write to the complainant to explain the reason for the delay and the new date.

4. The complaints procedure

Contact details

Use the details below for the academy your complaint concerns. Complaints at Stage 2 and above should be marked "Private and confidential".

	Belfairs Academy	Darlinghurst Academy
Stage 1 and general enquiries	enquiries@belfairsacademy.org.uk	generalenquiries@darlinghurstacademy.org.uk
Stage 2: Headteacher	enquiries@belfairsacademy.org.uk	generalenquiries@darlinghurstacademy.org.uk
Stage 3: Chief Executive Officer	info@legratrust.org.uk	info@legratrust.org.uk

	Belfairs Academy	Darlinghurst Academy
Stage 4, and complaints about the CEO, governors, trustees or the Trust: Clerk	info@legratrust.org.uk	info@legratrust.org.uk

There are **four stages**: one informal stage, two formal stages and a final panel hearing. A complaint should normally go through each stage in turn. Complaints about the Headteacher, the CEO, governors or trustees follow the routes in section 5.

Stage 1: Informal resolution

In the first instance, parents and carers should speak to the relevant member of staff, usually their child's form tutor, class or subject teacher, or Year Leader. Contact can be made by telephone, in person or by email to the academy's general address (see contact details), marked for the attention of the member of staff. The member of staff will acknowledge the concern within 2 school days and aim to resolve it within 5 school days. If necessary, they may refer it to a Vice Principal.

Members of the public should raise their concern by email to the academy's general address or through the enquiry form on the academy website, marked "Complaint – for the attention of the Headteacher". We will acknowledge it within 2 school days and aim to respond within 5 school days.

If the concern is not resolved at Stage 1, the complainant may make a formal complaint at Stage 2.

Stage 2: Formal complaint to the Headteacher

The complaint should be put in writing (or made with support, as set out in section 3) to the Headteacher, stating what the complaint is about, how it has been handled so far and what outcome the complainant is seeking. It should be sent by email to the academy's general address (see contact details), marked "Private and confidential – Stage 2 complaint".

The Headteacher takes all written complaints seriously and will investigate thoroughly. This may include meeting the complainant and speaking to staff and students. The Headteacher may delegate the investigation to another senior leader but will remain responsible for the outcome. The complaint will be acknowledged within 3 school days and a written response will be sent within 10 school days of acknowledgement. The response will explain the findings, any action the academy will take and how to escalate the complaint to Stage 3. Most complaints are resolved at this stage.

Stage 3: Review by the Chief Executive Officer

If the complainant is not satisfied with the outcome of Stage 2, they may ask the Chief Executive Officer of Legra Academy Trust to review the complaint. The request should be made in writing, explaining why the complainant is dissatisfied with the Stage 2 outcome. It should be sent to the Trust's CEO address (info@legratrust.org.uk), marked "Private and confidential – Stage 3 complaint".

The CEO, or a senior Trust officer they nominate who has had no previous

involvement, will review how the complaint was handled and the Stage 2 outcome. The request will be acknowledged within 3 school days and a written response sent within 10 school days of acknowledgement, explaining how to request a Stage 4 panel hearing.

Stage 4: Complaints Panel

If the complaint remains unresolved after Stage 3, the complainant may ask for it to be heard by a Complaints Panel. The request should be made in writing to the Clerk (info@legratrust.org.uk), marked “Private and confidential – Stage 4 complaint”. The Clerk will acknowledge the request within 5 school days and, on behalf of the Chair of the LGB, convene a panel. Section 6 explains how the panel works.

5. Complaints about senior leaders, governors, trustees or the Trust

So that every complaint is considered independently, complaints about the people who would normally handle them follow these routes. All such complaints should be marked “Private and confidential” and sent to the address shown, not to the academy’s general inbox.

Complaint about	Send to	Formal stage handled by	Final stage
Headteacher	CEO, via the Trust’s CEO address	CEO	Complaints Panel
Chief Executive Officer	Clerk	Chair of Trustees, or a trustee they nominate	Complaints Panel convened by the Board of Trustees
A member of the LGB	Clerk	Chair of the LGB	Complaints Panel
The Chair of the LGB	Clerk	Chair of Trustees, or a trustee they nominate	Complaints Panel
A trustee or the Chair of Trustees	Clerk	Vice-Chair of Trustees, or an independent investigator	Complaints Panel made up of members independent of the Trust Board
The whole LGB, the Board of Trustees or the Trust as a whole	Clerk	The Clerk will tell the Chair of Trustees, who will appoint an independent investigator	Complaints Panel made up of independent members

6. The Complaints Panel

Membership

The panel will be made up of at least **three people** who have not been involved in the matters raised in the complaint. **At least one panel member will be independent**

of the management and running of the academy and the Trust. Other members may be governors of the academy concerned or of another academy in the Trust, provided they have no conflict of interest. The panel will choose its own chair.

Before the hearing

- The Clerk will write to the complainant to confirm the date, time and venue at least **10 school days** before the hearing, which will take place within **20 school days** of the Stage 4 request being acknowledged.
- All written evidence will be shared with the panel, the complainant and the academy at least **5 school days** before the hearing. Any new evidence should be sent to the Clerk at least 7 school days before the hearing.
- If the complainant cannot attend, the panel will try to rearrange once. If that is not possible, the panel may hold the hearing in the complainant's absence based on the written evidence.

At the hearing

The complainant is invited to attend and may be accompanied by a friend, relative or advocate. Legal representation is not normally necessary, but the panel will consider any request. The Headteacher (or the person whose decision is being reviewed) will also attend. Students will not normally attend unless the panel considers it appropriate. Meetings will not be recorded unless everyone present agrees in advance.

The hearing will be as informal and non-adversarial as possible. The panel will consider the complaint and all the evidence, and may:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part
- decide on any appropriate action to be taken to resolve the complaint
- recommend changes to the academy's or the Trust's systems or procedures so that similar problems do not happen again.

Findings and recommendations

The panel will make **findings and recommendations** and send them in writing within **5 school days** of the hearing. In line with Part 7 of the Independent School Standards:

- a copy of the findings and recommendations will be **provided to the complainant and, where relevant, to the person complained about**; and
- a copy will be **kept on the academy premises and made available for inspection by the proprietor (the Trust) and the Headteacher.**

The panel's written response will explain its decision and the reasons for it, and tell the complainant how to contact the DfE if they remain dissatisfied.

7. Referral to the Department for Education

The Complaints Panel is the final stage of the academy's procedure. If a complainant believes the academy or Trust did not handle their complaint in line with this policy, they can contact the DfE after Stage 4 at www.gov.uk/complain-about-school.

The DfE will check whether the complaint was handled properly and in line with this policy and the regulations. It will **not** re-investigate the substance of the complaint or

overturn the academy's decision. If the DfE finds that the policy does not meet the regulations or was not followed, it may ask the academy to put this right.

8. Unreasonable behaviour by complainants

We expect everyone involved in a complaint, including staff, to behave courteously. Behaviour that is abusive, threatening, offensive or harassing, or a volume or frequency of contact that places an unreasonable burden on staff, is not acceptable.

Unreasonable behaviour is **not a reason to reject a complaint**. The complaint will still be considered on its merits. Where behaviour is unreasonable:

- the Headteacher (or the CEO, where the complaint is about the Headteacher) will decide whether the behaviour is unreasonable;
- the complainant will normally be warned in writing first, told what behaviour is of concern and given the opportunity to respond;
- if the behaviour continues, we may restrict contact, for example to a single named contact, to written communication only, or to a limited number of contacts each term, or pause the process for a short period;
- any restriction will be confirmed in writing with the reasons and reviewed at least every six months.

In serious cases, such as threats or violence, we may act immediately, including barring the individual from the academy site, and may involve the police. Any premises ban will follow the DfE's guidance on controlling access to school premises, and the individual will be given the opportunity to make representations.

9. Vexatious or repeated complaints

If a complainant tries to reopen a complaint that has already completed all stages of this procedure, the Chair of the LGB will write to tell them that the procedure has been exhausted and the matter is closed. They will also be reminded that they can contact the DfE (section 7). New complaints about different issues will be considered in the usual way.

Occasionally a new complaint may be vexatious, for example if it is obsessive, deliberately disruptive or made about a matter that does not affect the complainant. In that case, the Headteacher may decide not to investigate it, having considered all the circumstances, and will write to the complainant within **10 school days** to explain why.

The complainant may ask the Chair of the LGB (or, in exceptional circumstances, the Vice-Chair) to review that decision. The Chair will receive all relevant documents and will review the decision, without investigating the complaint itself, and will write to the complainant within **15 school days** of receiving the request. If the Chair overturns the decision, the complaint will be dealt with under this policy in the usual way. If the Chair upholds the decision, the complainant may contact the DfE as set out in section 7.

10. Anonymous complaints

We will not normally investigate anonymous complaints. The Headteacher will refer

an anonymous complaint to the CEO where appropriate, and the CEO will decide whether it warrants investigation. Anonymous complaints raising safeguarding concerns will always be referred to the Designated Safeguarding Lead.

11. Records, confidentiality and data protection

Record of complaints

Each academy will keep a **written record of all complaints made at Stage 2 or above**, including complaints made under section 5. The record will show:

- the date the complaint was received, a summary of its nature and the stage(s) it reached;
- **whether it was resolved following the formal procedure or proceeded to a panel hearing**; and
- **the action taken by the academy as a result of the complaint, regardless of whether it was upheld.**

On request, parents can be told the number of complaints registered under the formal procedure during the preceding school year.

Confidentiality

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 Education and Skills Act 2008 (such as Ofsted), requests access to them.

Data protection and retention

Complaint records are processed in line with UK data protection law (the UK GDPR and the Data Protection Act 2018) and the Trust's Data Protection Policy. They will be stored securely, separately from students' educational records, and accessed only by those who need to see them. They will be kept in line with the Trust's records retention schedule and then securely destroyed. Information about a complaint will not be shared with third parties without consent unless the law requires or allows it.

12. Monitoring and review

Each Headteacher is responsible for keeping their academy's complaints record up to date. Each Local Governing Body will review an anonymised summary of complaints each term to identify trends and any improvements needed. The Board of Trustees will receive an annual summary across the Trust. Governors and trustees will not see details of individual complaints in a way that would prevent them from sitting on a future Complaints Panel.

This is a Trust-wide policy. It will be reviewed annually by the Chief Executive Officer and approved by the Board of Trustees, after consulting each Local Governing Body, or sooner if legislation or DfE guidance changes. Academies may not amend it locally.