



Nova Hreod Academy

# COMPLAINTS

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# COMPLAINTS

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## Policy Statement

Nova Hreod Academy ('the School') prides itself on the quality of teaching and pastoral care provided to its students. It recognises that parents may, from time to time, have concerns about the progress, achievement, behaviour or welfare of their child. Parents are encouraged to make those concerns known to staff so that they can be addressed in partnership with the school.

The School will take all concerns and complaints seriously and will make every effort to deal with complaints informally, at an early stage, in the spirit of continued respect and partnership.

This is a three-stage process. In most cases, any concern or complaint, regardless of whose attention to whom it is initially brought, should be discussed informally at stage 1, before being submitted to a formal process. Complaints concerning the Head may proceed directly to formal process at stage 2 and will be managed by the chair of the Local Governing Body (LGB).

## Definitions

This policy deals with concerns or complaints from parents of current pupils and parents of former pupils provided the complaint was initially raised when the pupil was still registered at the School. Please note for the purpose of this policy the term "parents" refers to parents/carers/legal guardians.

Any member of the public may also raise a concern or complaint about the facilities or services provided by the school. In these rare instances, and where the matter raised falls within scope, the Principal is authorised to use this policy to investigate and respond to the complainant in writing.

For the purposes of this procedure, **concerns** are defined as having a worry or doubt over an issue considered to be important for which reassurances are sought. A **complaint** can be any matter about which a parent/carer is unhappy and seeks action by the School.

## Matters falling outside of this policy

- This procedure does not apply in relation to appeals against admissions or exclusions which are managed under a separate statutory procedure. Please see the School policies [\*Nova Hreod Academy > About Nova > Policies\*](#)
- This procedure does not apply to safeguarding concerns regarding children or allegations of abuse made against teachers, and other staff, including supply teachers and volunteers, which are managed under the School's Safeguarding Policy ([\*ULT Safeguarding Policy Template \(Academies\)\*](#) ([novahreodacademy.org.uk](http://novahreodacademy.org.uk)) and is distinct from formal staff disciplinary, grievance or capability proceedings. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding – [seancapewell@swindon.gov.uk](mailto:seancapewell@swindon.gov.uk) or the Multi-Agency Safeguarding Hub (MASH) – [contactswindon@swindon.gov.uk](mailto:contactswindon@swindon.gov.uk)
- Complaints from staff will be dealt with under the school's internal grievance procedure and complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. Complaints 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.
- Where the complaint concerns a third party or service used by the school please complain directly

- For 'Subject Access Request's and 'Freedom of Information Requests' please see the Data Protection and Freedom of Information Policy [Data Protection Policy \(novahreodacademy.org.uk\)](#)
- For whistleblowing complaints, please refer to the UL whistleblowing policy [United Learning Whistleblowing \(Raising Concerns\) Policy \(novahreodacademy.org.uk\)](#) United Learning has 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 education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at:  
[www.education.gov.uk/contactus](http://www.education.gov.uk/contactus)  
Volunteer staff who have concerns about our school should complain through the school's complaints procedure.
- Anonymous Complaints will not normally be responded to, however the Principal and chair of governors will determine whether an issue raised in this way need investigating.

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 policy or result in the procedure being suspended until those public bodies have completed their investigations. If this happens, we will inform you of a proposed new timescale.

If a complaint commences legal action against Nova Hreod Academy in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings are concluded.

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. The school will **immediately suspend** the complaint process where the behaviour of the complainant is deemed to be 'unreasonable'.

All matters relating to exclusions are managed under a separate statutory procedure.

Where a complaint is deemed by the school to be **unreasonable or vexatious there will be no further action taken by the school.**

## Implementation

Complainants 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. The school will only consider complaints made outside of this time frame if exceptional circumstances apply.

The timescales for any complaints made outside of term time will be considered to have commenced on the first day of term.

**The right to withdraw a complaint-** The complainant may withdraw a complaint at any stage of the process described below. Written confirmation may be requested to confirm that a complaint has been withdrawn. No further action will be taken when a complaint is withdrawn.

## Interpretation

The following definitions apply to the procedure outlined within this policy:

**Chair-** unless otherwise stated this refers to the Chair of the Local Governing Body.

**Clerk-** Administrative support provided to the LGB, this is usually the LGB clerk or governance professional.

All **timescales** within this policy refer to '**working days**' when the school is in session. These therefore exclude weekends, school holidays and INSET days.

**Independent member of a panel** at stage 3 – this individual must be independent of the management and governance of the school itself and have no knowledge of the complaint. The school may use governors from other schools across both sectors of the United Learning to fulfil this role. An independent lay person may also be used.

The school defines ‘**unreasonable**’ as that which hinders our 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 co-operate with the complaint 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 considered 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 or unmeritorious 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 related to the complaint on social media or other public forums.

### **Complaint campaigns**

This is defined as the receipt of large volumes of complaints which could be all based on the same subject or receipt of numbers of complaints from complainants unconnected with the school.

In these rare instances, the school will seek advice from United Learning central office, and we would expect to provide a response to a complaint campaign **within 30 working days**.

The school may respond using a template response to all complainants. Alternatively, the school may choose to publish a single response on its website.

## Policy Aims and Guidance

We aim to:

- 1: Encourage the **informal and early** resolution of complaints at stage 1, so far as it is possible.

We aim to deal with all matters of concern raised by parents or carers promptly, fairly, openly, and without Prejudice. Concerns and complaints are more likely to be resolved informally when all parties commit to working together towards a resolution in the spirit of co-operation. Informal resolutions will usually involve a meeting between the complainant and the school. Any concern or complaint should be listened to by an appropriate member of the staff team - usually the year group manager or a member of the leadership team (as appropriate to the nature of the complaint). Where further information is needed, we will aim to respond in a timely and sensitive manner. It also helps to understand what a satisfactory outcome would look like to the complainant. We aim to acknowledge your complaint as soon as possible, normally within 3 working days of receipt, and resolve matters at stage 1 within 15 working days.

Complainants should not approach individual 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 3 of the procedure.

When managing a concern or complaint informally at stage 1, parents may, if they are not satisfied with the response, to escalate their complaint to the formal stage of this procedure.

Mediation meetings may be helpful in resolving issues of concern or in mending relationships and moving forward in partnership with parents/carers however these sit outside of the formal complaints process.

- 2: Ensure that complaints process is easy to understand and access and be readily available.

United Learning has endeavoured to make its procedures as accessible as possible. Parents should not be put off from making a complaint because they are not sure how to do so. This complaints procedure is available on the School website and can be made available in hard copy on request from reception.

- 3: Keep the **formal procedure** to two distinct stages.

**Stage 2** is a formal investigation and response. Stage 2 complaints should be made to the Principal, (or the Chair of Governors, or Executive Principal if the complaint concerns the Principal) who will investigate and provide a formal response. The school advises complainants to use the complaints form provided at appendix 1.

**Stage 3** is a review of the complaint by a Complaints Panel. If the complainant remains dissatisfied with the outcome at stage 2, trustees have delegated the LGB with authority to review the complaint on its behalf at **Stage 3**. The stage 3 panel **must** include independent representation\* and consist of 3 people who were not directly involved in the matter detailed in the complaint.

Resolution should be sought at all stages.

\*It is a requirement of the Education (Independent School Standards) Regulations 2014 that, where there is a panel hearing of a complaint, one panel member is independent of the management and running of the school. United Learning determine this to mean external to the individual school and therefore a governor from another LGB within UL may be asked to join a review at stage 3.

The DFE confirms that; *‘with the exception of the MAT’s trustees, we are satisfied that a governor, from a local governing body at a different school within the MAT, who has no conflict of interest or prior knowledge of the complaint, can be an independent panel member. This is because such person would have no direct involvement with the management and running of the school being complained about.’*

4: Ensure that as few governors as possible are involved in the management of a complaint.

The School aims to ensure that members of the LGB do not become directly involved in the detail of a complaint, so they are not prevented from sitting on a Complaints Panel if called upon to review complaints under Stage 3.

Where a complaint has been made about a member of the local governing board or the entire governing board, the LGB clerk should seek advice from the Head of Local Governance at United Learning about how the procedure should apply and proceed given the nature of the complaint. This may involve sourcing an independent investigator and/or panel to hear the complaint.

5: Records should be kept at both stages of the formal process

It is important that those responsible for reviewing a complaint at each formal stage keep records of what the complaint was, whether it was resolved following a formal procedure or proceeded to a panel hearing, any action taken by the School as a result of the complaint (regardless of whether they are upheld), any evidence that was considered, and the outcome. The School will ensure that a copy of the findings and recommendations made at the panel review stage are provided in writing to the complainant and, where relevant, the person complained about, as well being made available for inspection on the school premises by United Learning and the head teacher.

Any personal information recorded in regard to the complaint will be kept in accordance with the principles of the General Data Protection Regulation (GDPR) and Data Protection Act 2018 (see the [ICO website](#)) and in accordance with the School’s Privacy Notice and Data Retention Policy

The School processes data in accordance with its privacy notice. When dealing with complaints the School (including any panel member appointed under the Stage [2/3] process) may process a range of information, which is likely to include the following:

- The name of the complainant.
- The date and time at which the complaint was made.
- The details of the complaint.
- The desired outcome of the complainant.
- How the complaint is investigated (including written records of interviews held).
- Findings and recommendations of investigations.
- Any action taken.
- The complainant’s response (satisfaction or further pursuit of complaint).

This may include ‘special category personal data’ (including sensitive data such as information relating to physical or mental health) where this is necessary owing to the nature of the complaint.

6: Review the Complaint Procedure regularly

United Learning is confident that the complaints procedure it recommends to schools is thorough, clear and robust. As a matter of good practice UL will therefore review this procedure every two or three years to ensure it remains fit for purpose. The procedure may need to be amended before the review date if, for example, there are any changes to the law, or if it becomes apparent, as a result of a complaint, that the procedure is not working effectively. Any proposed amendment of the procedure will therefore be carried out centrally and submitted to Local governing boards for approval.

- In line with our Provision of Information policy, this document is available to all interested parties on our website and on request from the main school office and should be read in conjunction with the following documents; Academic Performance Policy, Anti-Bullying Policy, Child Protection Policy, Curriculum Policy, Special Educational Needs Policy, Admissions Policy, Behaviour and Discipline Policy, Exclusions, Privacy Notice, Expulsion and Removal Policy. *Nova Hreod Academy > About Nova > Policies*

**OFSTED:** Piccadilly Gate, Store St, Manchester, M1 2WD, Phone: 0300 123 4666 or email: [enquiries@oftsed.gov.uk](mailto:enquiries@oftsed.gov.uk)

### **School and UL Contact Details**

**All complaints** should initially be sent to Ursula Gawthorn, PA to the Principal, [u.gawthorn@novahreodacademy.org.uk](mailto:u.gawthorn@novahreodacademy.org.uk) marked for the attention of the Principal

Principal: James Harding-Mbogo – [j.harding-mbogo@novahreodacademy.org.uk](mailto:j.harding-mbogo@novahreodacademy.org.uk)

Chair of the Nova Hreod Academy LGB: Kevin Logan – [k.logan@novahreodacademy.org.uk](mailto:k.logan@novahreodacademy.org.uk)

Clerk to the LGB: Anna Tarrant [a.tarrant@novahreodacademy.org.uk](mailto:a.tarrant@novahreodacademy.org.uk)

Head of Local Governance: Lesley Dolben [Lesley.dolben@unitedlearning.org](mailto:Lesley.dolben@unitedlearning.org)

Company Secretary: Alison Hussain [Alison.hussain@unitedlearning.org.uk](mailto:Alison.hussain@unitedlearning.org.uk)

If parents are unhappy with how the School has managed their complaint under this procedure, they may complain to the ESFA, online [here](#); or by post at: Academies Complaint and Customer Insight Unit, Cheylesmore House, Quinton Road, Coventry, CV1 2WT.



## Procedures

### Stage 1: Informal Resolution

The LGB of Nova Hreod Academy encourages those that have concerns to raise them with the appropriate person at the school (e.g. your child's class teacher) and to work constructively with that person towards resolving them. The majority of concerns can be dealt with without resorting to the formal stages of the formal complaint procedure. We recognise that, almost invariably, the sooner concerns are raised the easier it is for an appropriate resolution to be found.

Please see the following contacts in school for support:

- Concerns of a pastoral nature should normally be made to the year manager in the first instance:-  
Year 7 – Naomi Butler – [n.butler@novahreodacademy.org.uk](mailto:n.butler@novahreodacademy.org.uk)  
Year 8 – Sophie Workman – [s.workman@novahreodacademy.org.uk](mailto:s.workman@novahreodacademy.org.uk)  
Year 9 – Georgia Saunders – [g.saunders@novahreodacademy.org.uk](mailto:g.saunders@novahreodacademy.org.uk)  
Year 10 – Cara Arnold – [c.arnold@novahreodacademy.org.uk](mailto:c.arnold@novahreodacademy.org.uk)  
Year 11 – Vanessa Simpkins – [v.simpkins@novahreodacademy.org.uk](mailto:v.simpkins@novahreodacademy.org.uk)
- Concerns of an academic nature would be through Sonja Unwin, Senior Vice Principal.
- If the nature of your concern is broader and may cover both of the above, then this should be addressed to Krish Hendra, Senior Vice Principal.

Complainants should not approach individual governors to raise concerns and complaints. They have no power to act on an individual basis and it may also prevent them from considering at Stage 3 of the procedure.

The member of staff will acknowledge the complaint normally within 3 working days of receipt. They will try to identify areas of agreement and clarify any misunderstandings that might have occurred. They may make a written record of your concern or complaint, the date on which it was received, and then try to resolve the matter themselves or refer you to the appropriate person.

The extent to which complainants have attempted informal ways of addressing an issue may be taken into consideration when assessing the reasonableness of a complaint during the formal stages of the procedure.

If a complaint cannot be resolved informally within 15 working days, or if the relevant member of staff and the parent fail to reach a satisfactory resolution, then the parents should proceed with their complaint in accordance with **Stage 2** of this Complaints Procedure.

#### Complaints about a member of staff or the principal

Where a complaint is about a member of staff, the principal will investigate or will delegate responsibility to investigate to a senior member of staff (Senior Vice Principal, Vice Principal or Assistant Principal for example).

Where the subject of the complaint is the principal, the complainant should notify the clerk to the governors (see contact details at the end of the document). The formal, **Stage 2** process will then commence, but with the Executive Principal as the individual responsible for the investigation, rather than the principal.

For reasons of confidentiality, complainants will not be informed of the outcome of any disciplinary action against any member of staff, arising from a complaint.

#### The timescale for making a complaint

All complaints will be handled within clear and reasonable timescales. Please note that, for the purposes of this procedure, working days refers to weekdays (Monday to Friday) during term time, excluding bank

holidays. This means that during school holidays it may take longer to resolve a complaint although the School will do what is reasonably practicable to avoid undue delay.

Timescales for investigating and/or responding to a complaint may also need to be extended in the event of a force majeure, a pandemic or as the result of enforced government restrictions. The School will inform parents if there is to be a delay to the anticipated timescales, for instance because of disruption to the School, staff absence or site closure.

Parents are expected to proceed with their complaint in a timely and reasonable manner. To enable effective review, the School therefore expects complaints to be raised within 3 months of an issue arising. Complaints outside this timeline will only be considered in exceptional circumstances. These may include (but are not limited to) subsequent information about the complaint coming to light and a valid explanation of why it was not possible to give notification of the complaint sooner. In such cases the principal/chair of the governing board/clerk to the governing board (as appropriate) will review the circumstances, may seek advice, and determine whether the complaint is to be considered under this policy. It is also expected that if parents wish to escalate their complaint to the next stage of the procedure, they will generally do so within 15 working days of the conclusion of the current stage. Depending upon the circumstances, the School may, acting reasonably, treat a complaint as closed if a parent has not proceeded within this timeframe.

#### Maintaining records

Notes may be made to support the informal management of complaints and the school may also keep an informal record of any meeting held or any agreed action to be taken. These will be processed by the school in line with the relevant privacy notice [\*GDPR Privacy notice .pdf \(novahreodacademy.org.uk\)\*](#). Records taken and used throughout the complaints process, including correspondence, notes of meetings, telephone calls etc., will be kept securely and in accordance with the principles of the General Data Protection Regulation (GDPR) and Data Protection Act 2018.

The record of stage 2 and 3 complaints are kept for at least 7 years and may be kept for longer if there is a safeguarding aspect to the complaint.

#### Maintaining confidentiality

Correspondence, statements and records relating to individual complaints are kept strictly confidential except where the Secretary of State or a body conducting an inspection under section 108 or 109 of the 2008 Act requests access to them.

Concerns and complaints will therefore be dealt with confidentially at all stages and at the conclusion of the procedure. Confidentiality should be maintained all times by everyone involved. Complaints are not to be discussed externally by parents, including via social media.

Actions taken in relation to school staff that arise from complaints will remain confidential to the school and the member of staff concerned.

#### Safeguarding

Wherever a concern indicates that a child's wellbeing or safety is at risk, the school is duty bound to act on this which may include reporting this immediately to the local authority. Any action taken will be in accordance with the school's safeguarding policy [\*ULT Safeguarding Policy Template \(Academies\) \(novahreodacademy.org.uk\)\*](#)

## **Formal Resolution**

### **Stage 2 - Investigation and Response.**

by the Principal or Chair of the LGB if the complaint is about the Principal.

1. A request for a formal investigation of a complaint by the Principal (or Chair of the LGB if the complaint concerns the Principal) should be made in writing stating you are making a complaint, or by completing the formal complaints form that is included as Appendix 1 of this procedure. The Principal (or Chair) will decide, after considering the complaint, the appropriate course of action to take. If the complaint is about the Principal it should be made to the Chair of the LGB via the LGB clerk.
2. The Principal (or Chair of the governing board as appropriate) will acknowledge the request in writing, **no later than 3 working days** (excluding those that fall in the school holidays) of receiving it. The Principal can also consider whether a face-to-face, meeting is the most appropriate way of clarifying the nature of the complaint, what remains unresolved and what outcome the complainant would like to see.
3. A log of all correspondence in relation to the complaint will be kept in accordance with the Data Protection Principles.
4. It may be necessary for the Principal (or Chair as appropriate) to carry out further investigation. In Investigating, the Principal (or Chair) will consider all evidence they consider relevant. This **may** include, but is not limited to:
  - obtaining statements from the complainant and those involved with the complaint
  - meeting/speaking with the complainant and those involved in the complaint
  - reviewing relevant correspondence and other documents relating to the complaint
5. After considering all matters the Principal /Chair considers relevant, the Principal/Chair of LGB can decide to:
  - uphold the complaint and direct that certain action be taken to resolve it
  - uphold the complaint in part (in other words find an aspect or aspects of the complaint to be valid, but not the whole complaint) direct for certain action to be taken, or
  - dismiss the complaint entirely
6. The Principal/Chair will inform the complainant of their decision in writing, the grounds on which it was made, and any actions taken as a result of the complaint. Wherever reasonably practicable, this will be **within 30 working days** (excluding those that fall in the school holidays) of having issued written acknowledgement of the receipt of the complaint. If the Principal/Chair is unable to meet this deadline, they will provide the complainant with an update. The final written response will detail any actions taken to investigate the complaint and provide a full explanation of the decision(s) made and the reason(s). The written notification shall also advise the complainant of their right to escalate the complaint to **stage 3** of the formal complaints procedure if they are not satisfied with the outcome at **stage 2**, including the contact details of the clerk to the governing board (see page 8).
7. Parents may request a review at **Stage 3** of the procedure within 15 working days of receipt of the stage 2 outcome letter.
8. If the parent does not invoke a **stage 3** review within this timeframe the school may, acting reasonably, deem the complaint closed.

9. Where a complaint concerns a governor or the LGB, the complaint should contact the LGB clerk who will seek advice from the Head of Local Governance and advise the complainant accordingly.
10. Where a complaint concerns a member of United Learning staff, this should be referred to Alison Hussain, Company Secretary, who will determine the most appropriate person to review the complaint and advise the complainant accordingly.

### **Stage 3: Formal Panel Hearing - Review by the Local Governing Body (LGB) Complaints Panel**

The complainant is entitled to request a review of the decision and the actions taken at **Stage 2**. The review is carried out by a complaints panel, at a meeting convened by the LGB clerk and provides an opportunity for the complaint to be heard afresh.

Requests for a review of the decision taken at stage 3 should be made in writing to the LGB clerk (see contact details Page 8) **no later than 15 working days after receipt of written notification of the decision at Stage 2**. The request should include a summary of the complaint, why the complainant is dissatisfied with the outcome of stage 2 and the outcome they are seeking. The school advises that it is helpful to use the complaint form provided in the Appendix. Requests made outside of this timeframe will only be considered in exceptional circumstances.

A Stage 3 panel hearing examines the evidence and actions taken at Stage 2 and provides an opportunity for the complainant to put any remaining concerns forward to the LGB. The panel will 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 panel hearing will be held in private either remotely or face-to-face within the school. 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 LGB clerk will convene a meeting of the complaints panel and will organise the time and date of the Stage 3 review meeting, inviting all the attendees, collating all the relevant documentation and distributing this to all parties, no less than 5 working days in advance of the meeting. Minutes of the review meeting will be taken by the clerk and provided with the written notification of the decision taken at stage 3 (see 9 below).

The timescales for stage 3 is 30 working days from receipt of a request to review the decision to the final written outcome.

The following steps are taken at **stage 3**

1. The clerk will acknowledge the written request for the complaint to be reviewed within 3 working days of receipt.
2. The LGB clerk will convene a panel of **three** people who were not directly involved in the detail of the complaint, one of which must include **one** independent of the running and management of the school to review the complaint. A governor from a local governing body of a different school within United Learning, provided they have no conflict of interest, may sit as an independent panel member.
3. If the panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the meeting or further investigation be carried out. Copies of such

particulars shall be supplied to all parties usually not later than 5 working days prior to the meeting or 3 working days if requested after receipt of the full pack of documents. Panels cannot normally consider evidence that is supplied after this time.

4. The clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 20 working days of receipt of the Stage 2 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.

5. The panel hearing is not a court case and will be as informal as circumstances allow and conducted in such a manner as at the discretion of the Panel. The meeting may be convened remotely or face to face within school. The Panel members are not legally trained and therefore cannot making findings as to points of law.
6. The panel **may** speak with the following, either as part of the review meeting, or as part of any further investigation:
  - the complainant
  - the Principal (or Chair of the LGB as appropriate) who investigated the complaint and made the decision at stage 2
  - relevant persons involved the complaint
  - persons whom, in the view of the panel, can provide relevant advice and information relating to the subject of the complaint and the review process at stage 3
7. Where the complainant, principal and/or relevant person involved in the complaint have been invited to attend the review meeting, they are entitled to be accompanied by a family member/friend/representative as appropriate. However, legal representatives/representatives from the media are not permitted to attend the review meeting.
8. The parents may attend and be accompanied at the panel meeting by one other person if they wish. This may be a relative, teacher or friend. Legal representation will not be appropriate. The parents should notify the LGB Clerk at least 3 working days in advance of the hearing of the name and occupation of an accompanying person (if relevant). Complainants are asked to advise the clerk of any relevant disabilities or accessibility requirements so that the school may provide the appropriate support.
9. The Panel meeting will go ahead unless the complainant indicates that they are satisfied and do not wish to proceed further. A Panel meeting may proceed notwithstanding the complainant may subsequently decide not to attend, in which case, the Panel will consider the complaint in absentia and issue findings on the substance of the complaint, thereby bringing the matter to a conclusion.
10. Where the complaint is about a governor or the LGB itself, the complainant may request that the review meeting is held by an independent panel. This is at the discretion of the LGB/ United Learning who will notify the clerk of their decision. Where an entirely independent panel is required, timescales may be affected while the school source appropriate individuals for the review.

11. If possible, the panel will resolve the parents' complaint without the need for further investigation. Where further investigation is required, the panel will decide how it should be carried out, and may undertake any such further investigation, and ask for any such further information as it considers necessary, in order to be able to reach a finding in respect of the complaint. After due consideration of all facts, they consider relevant, the panel will make findings as to whether the Stage 2 decision was a reasonable one and accordingly can decide to:
  - uphold the complaint and recommend that certain action be taken to resolve it
  - uphold the complaint in part (in other words find an aspect or aspects of the complaint to be valid, but not the whole complaint) and recommend certain action to be taken, or
  - dismiss the complaint entirely.
12. The Panel may make recommendations to the school as a result of its deliberations but has no power to compel the school to take action.
13. The complainant, the principal, (or chair of the LGB as appropriate) who investigated the complaint and made the decision at stage 2, and, where relevant, the person complained about will be informed in writing of the panel's findings and any recommendations, normally no later than 5 working days (excluding those which fall in the school holidays) after the review meeting has taken place. The letter of outcome will include relevant information (as appropriate) for appealing to United Learning for review.
14. A confidential written record of all complaints that are made in accordance with the formal stage of this procedure will be kept by the school. The written record will include whether the complaint has been resolved following a formal procedure and whether it proceeded to a panel review meeting. It will also refer to any action taken by the school, regardless of whether it has been upheld.
15. The School will ensure that a copy of the findings and recommendations made at the panel review stage are provided in writing to the complainant and, where relevant, the person complained about, as well being made available for inspection on the school premises by United Learning and the head teacher. 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.

**Stage 3 is the final stage at which the school will consider the complaint.**

## **Right to appeal**

### **Appeal to the Central Office of United Learning**

The decision of the stage 3 panel is final. If the complainant is concerned that the complaint procedure has not been followed correctly, they may write to request a review of the LGB's process by a United Learning central office employee. This can be done by emailing [Lesley.dolben@unitedlearning.org.uk](mailto:Lesley.dolben@unitedlearning.org.uk) stating the reason for the request.

The timescale for requesting a review is **15 working days** from the receipt of the letter of outcome at stage 3.

On receipt of a request to review an acknowledgement will be sent. Any review is granted at the discretion of the Head of Local Governance. We aim to make this decision and inform you of this within **5 working days**.

If deemed appropriate to proceed to review a senior colleague will be appointed, usually a Regional Director, to undertake the work as “United Learning Representative”. This review is provided as a quality assurance exercise to determine whether the LGB acted appropriately and within the scope of its published complaint policy. In carrying out this work the United Learning representative will not re-open the complaint, begin or commission a fresh investigation or adjust the original determination.

On completion of the review the United Learning representative will provide a written letter of outcome to all parties. We aim to complete this process within **30 working days**.

The United Learning representative may either;

- Deem the process to have been **sound and uphold** the outcome at Stage 3.
- Deem the process to have been procedurally **flawed** and **direct the LGB to re-hear** the matter at stage 3.

The decision of the designated United Learning representative is **final and binding**.

Where an LGB is directed to re-hear the matter, an independent chair is to be appointed to a new panel of local governors.

There can be no further request to review the outcome of a complaint that has been re-directed to the LGB.

A copy of the written letter of outcome will be retained on record within the school.

#### **Right of appeal to the ESFA.**

If parents are not satisfied they may choose to escalate their complaint to the ESFA online [here](#); or by post at; Academies Complaint and Customer Insight Unit, Cheylesmore House, Quinton Road, Coventry, CV1 2WT.

Telephone number 0370 000 2288

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by Nova Hreod Academy. They will consider whether Nova Hreod Academy has adhered to education legislation and any statutory policies connected with the complaint.

#### **Complaints about governors**

Where a complaint concerns a governor, the complainant should contact the LGB clerk. The LGB clerk will then determine the most appropriate course of action, seeking advice from the Head of Local Governance, as appropriate. This will depend upon the nature of the complaint.

#### **Complaints about the CEO, UL officers or members of United Learning central team**

Where a complaint concerns a member of United Learning staff, this should be referred to the Company Secretary, Alison Hussain, who will determine the most appropriate person to review the complaint.

#### **Complaints about premises management**

If a complaint concerns premises management or caretaking, it may be redirected to the management company of the PFI who oversee the site and building.

#### **Written complaints relating to the requirements of the EYFS Statutory Framework**

Written complaints about the fulfilment of the EYFS requirements will be investigated in accordance with Stage One of the complaints procedure and you will be notified of the outcome of the investigation within 28 calendar days of the complaint being received. Stage Two above will be available to you if you remain dissatisfied with the outcome at Stage One.

The School will provide Ofsted and ISI (as appropriate), on request, with a written record of all complaints made during any specified period, their outcome and the action that was taken as a result of each complaint, which will include details of whether the complaint was upheld.

You may also complain directly to ISI or OFSTED if you believe that the School is not meeting the EYFS requirements: [ISI may be contacted on 020 7600 0100 or by email: [concerns@isi.net](mailto:concerns@isi.net).]  
Ofsted may be contacted on 0300 123 4666 or by email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

## **Vexatious Complaints**

There will be occasions when, despite all stages of the procedures having been followed, and where central office has agreed to investigate, the complainant remains dissatisfied. If the complainant tries to reopen the same issue or a closely related issue that has already been dealt with under this complaints procedure, the relevant United Learning Director and the Chair of the LGB will inform parents in writing that the procedure has been exhausted and that the matter is now closed.

If the complainant writes again on the same issue, then the correspondence may be recognised as vexatious and there will be no obligation on the part of the school or Central Office to respond to any further correspondence on the same issues or a closely related issue.

Whilst we understand that some matters may be potentially upsetting, if the conduct of the complainant is inappropriate, threatening or abusive (either in person or in written form), the school reserves the right to regard the matter as a vexatious complaint and there will be no obligation on the part of the school to respond.

## **Summary of Requirements**

The school will take all concerns and complaints seriously and will make every effort to deal with complaints informally, at an early stage, in the spirit of continued respect and partnership.

Whilst we endeavour to resolve all concerns and complaints informally, the school cannot compel complainants to use the informal stage 1 and will not refuse to progress a complaint to a formal stage if there has been no informal engagement.

The school will accept complaints via email, writing or in person and whilst we advise the complainant to make use of the complaint form at appendix 1, there is no obligation for them to do so.

The timescales defined for each stage of the process are outlined in appendix 2.

In exceptional circumstances the timescales for managing a complaint may be extended by mutual consent. These could include, and are not limited to, the following; request from the complainant to extend the timescale, ill-health of the complainant, significant disruption to the school, force majeure, or as the result of enforced government restrictions.

Complainants retain the right to appeal at the end of each stage of the process if they remain dissatisfied. The management of the complaint at school level ends at stage 3.

## **Monitoring the Implementation of this Policy**

The LGB is delegated the authority to monitor the implementation of the Complaints Policy at the school level on behalf of the Board of Trustees of United Learning. It will review the number of 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. It will consider any lesson learned and make recommendations for any revisions to the policy.

The number of complaints registered under the formal procedure during the preceding school year is available on request from the Clerk to the LGB.

	<b>Date</b>	<b>Name of owner/author</b>
<b>Authorised:</b>	<i>2024</i>	<i>LGB</i>
<b>Policy Reviewed:</b>		<i>United Learning</i>
<b>Next Review Date:</b>	December 2025	

## Appendix 1: Complaint Form

Please complete in BLOCK CAPITALS and return to the Clerk to Governors who will acknowledge receipt and explain what action will be taken.	
<b>Your name</b>	
<b>Student's name</b>	
<b>Your relationship to the student</b>	
<b>Address</b>	
<b>Postcode</b>	
<b>Contact telephone number (1)</b>	
<b>Contact telephone number (2)</b>	
<b>Please give details of your complaint below</b>	
<b>What action, if any, have you already taken to try and resolve your complaint? (To whom did you speak to and what was the response?)</b>	
<b>What actions do you feel might resolve the problem at this stage?</b>	
<b>Are you attaching any paperwork?</b>	<b>YES / NO</b>
<b>If so, please give details.</b>	
<b>Signature:</b>	<b>Date:</b>

<b>For Official use only</b>			
Date acknowledgement sent		Complaint resolved at which stage	
Acknowledgement sent by		Complaint recorded in school records	
Complaint referred to			
Complaint referred on (date)			

## Appendix 2: Complaint Process- Timelines (Academies)

