

Complaints Procedure December 2021

This Greenshaw Learning Trust Procedure applies to the Greenshaw Learning Trust as a whole and to all the schools and service units in the Trust, in accordance with and pursuant to the Communications Policy of the Greenshaw Learning Trust. The Greenshaw Learning Trust, including all the schools and services within the Trust, their Trustees, governors and staff, must abide by this GLT Complaints Procedure.

The Greenshaw Learning Trust welcomes comments on its services and will always deal with complaints in a courteous and reasonable manner, in accordance with this Complaints Procedure. Comments about or complaints against a school in the Greenshaw Learning Trust or a member of the school's governing body should be taken up with the school, and if necessary through the school's complaints procedure, by contacting the school.

It is the responsibility of the governing body and Headteacher of each school, and the Board of Trustees and Chief Executive Officer (CEO) for Trust shared services, to ensure that their school/service and its staff adhere to this Complaints Procedure and related school procedures. In implementing this Procedure and related school procedures the governing body, Headteacher and Trust staff must take account of any advice given to them by the CEO and/or Board of Trustees.

This Procedure is subject to the GLT Scheme of Delegation; if there is any ambiguity or conflict then the Scheme of Delegation or alteration or restriction to the Scheme approved by the Board of Trustees takes precedence.

If there is any question or doubt about the interpretation or implementation of this Procedure, the CEO should be consulted.

Approval and review:

This Procedure is the responsibility of the GLT CEO. This Procedure was approved by the Board of Trustees on: 17 December 2021. This Procedure is due for review by: December 2024.

The Greenshaw Learning Trust is a charitable company limited by guarantee registered in England & Wales, company number 7633694, registered at Greenshaw Learning Trust, Grennell Road, Sutton, Surrey, SM1 3DY.

Greenshaw Learning Trust

PROCEDURE FOR DEALING WITH COMPLAINTS

Approved by the Board of Trustees 17 December 2021

1 Principles

The Greenshaw Learning Trust welcomes comments on its services. Comments enable us to clarify any misunderstandings that arise and give us the opportunity to review our procedures if necessary. We are also pleased to learn of things that have gone well.

The Greenshaw Learning Trust will always deal with complaints in a courteous and reasonable manner, and follow its agreed procedures. We ask that those with comments and complaints present them in a similarly reasonable manner.

2 Introduction and application

If you have a complaint about the Trust as a whole, the central/shared services of the Trust, the conduct of an executive officer of the Trust central/shared service or a Trustee of the Trust, then the complaint will be dealt with in accordance with this Procedure.

If the complaint is about the CEO the complaint should be addressed to the Clerk to the Trust.

If you have a comment about or complaint against a school in the Greenshaw Learning Trust or a member of the school's governing body you should take it up with the school, and if necessary through the school's complaints procedure, by contacting the school.

If a Trustee or an executive officer of the Trust is contacted directly by a complainant in relation to a complaint about a school in the Trust, then the matter should be referred to the Headteacher of the school to be dealt with under the school's complaints procedure.

Complaints about the administration of admissions to schools in the Trust should be addressed through the Admissions Appeals Process, by writing to the Clerk to the Trust.

If the complaint is about the CEO or the CEO has been directly involved in matters that are the subject of the complaint: where this Procedure refers to the CEO, the Chair of the Board of Trustees will act in their place, and where it subsequently refers to the Chair of the Board of Trustees, the Vice Chair or another nominated Trustee will act in their place.

If the complaint is about the Chair of the Board of Trustees or the Chair of the Board of Trustees has been directly involved in matters that are the subject of the complaint: where this Procedure refers to the Chair of the Board of Trustees, the Vice Chair or another nominated Trustee will act in their place.

At any meeting with Trust staff of Trustees or any panel, the complainant may be accompanied

by a friend and/or interpreter; and the CEO or any other Trust staff may be accompanied by a fellow employee or professional representative.

The complaints committee of the school's governing body and the Complaints Panel of the Trust may make findings and recommendations; a copy of those findings and recommendations will be provided to the complainant and, where relevant, the person complained about; and made available for inspection on the school premises by the proprietor and the head teacher.

A written record will be kept of all complaints and whether they are resolved following a formal procedure, or proceed to a committee or panel hearing; and the action taken by the school/Trust as a result of those complaints (regardless of whether they are upheld).

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, and retained in line with the GLT Data Retention Policy and Part 7 of the Education (Independent School Standards) Regulations 2014.

Certain matters are dealt with under specific procedures, and not through the complaints procedure:

- Complaints about child protection matters are handled under the Trust's child protection and safeguarding policy and in accordance with relevant statutory guidance.
- Complaints about the administration of the appeals process for admissions to schools within the Trust are dealt with through the Trust Admissions Appeals Procedure.
- Representations against exclusions from school are dealt with under the Trust's exclusions procedures and the relevant statutory guidance.
- Complaints from staff will be dealt with under the school's internal grievance procedures.
- Complaints about staff conduct will be considered under the Trust's staff disciplinary procedures, if appropriate, but complainants will; not be informed of any outcomes.
- The Trust also has a Whistleblowing Policy for all employees, contractors, Trustees and governors.

Information on these procedures can be found on the Trust website or by contacting the Trust or school.

The Complaints Procedure has three stages that must be followed consecutively.

3 Stage 1: Informal resolution

In the first instance, if a person has a complaint, they should contact the Trust by telephone, email or letter for an appointment to discuss the matter with an appropriate member of staff. A complainant may find it helpful to write down the main substance of their complaint before contacting the Trust.

A senior member of Trust staff will investigate the complaint and seek to find a resolution through discussion and meetings with the complainant, informally.

If it does not prove possible to reach a resolution, the complainant may wish to put their complaint formally in writing under Stage 2, or the CEO may refer the matter to Stage 2 or to the Chair of the Board of Trustees (under Stage 2) so that it can be dealt with more effectively.

On receipt of a written complaint, the complaint will be investigated by the CEO. The CEO will give a written response to the complainant, and will endeavour to give that response within 10 school days of receiving the complaint.

Most concerns should be resolved at this informal stage.

4 Stage 2: Formal complaint

If the complaint has not been resolved informally, the complainant may put their complaint formally in writing, in a letter addressed to the CEO or Clerk to the Trust, Greenshaw Learning Trust, Grennell Road, Sutton SM1 3DY.

A complaint will not normally be considered if it is lodged formally in writing more than three months after the incident being complained about took place.

The CEO will investigate the complaint and give a written response to the complainant, and will endeavour to give that response within 10 school days. However the thorough investigation of a complaint may involve a number of members of staff; progress will depend on their availability and timescales are likely to be extended during school holidays. Complainants will be advised of the reason for any delay beyond 10 days.

If the complainant is not satisfied with the response from the CEO, they may refer the matter to the Chair of the Board of Trustees, in writing addressed to the Chair, care of the Clerk to the Trust within 20 school days of the date of the CEO's written response.

On receipt of a written complaint the Chair of the Board of Trustees may either:

1. refer the matter back to the CEO for further consideration under Stage 1; or
2. arrange for the complaint to be considered as a Stage 2 complaint as below; or
3. refer the complaint to a Complaints Panel of the Board of Trustees under stage 3.

The Clerk will arrange for a meeting between the complainant, the CEO and the Chair of the Board of Trustees or a person nominated by the Chair (who is not a Trust employee), at which they will seek a resolution that is satisfactory to the complainant

The Chair of the Board of Trustees or nominated person will write to the complainant and the CEO setting out the results of the meeting and advising the complainant of their right to take the matter to a Complaints Panel under stage 3.

5 Stage 3: Complaints Panel

If the complainant is still not satisfied with the response to their complaint or the way that it has been handled, they may take the matter to a Complaints Panel appointed by the Board of Trustees, by writing to the Clerk of the Trust, enclosing a copy of the original written complaint within 20 school days of the written response from the Chair of the Board of Trustees or nominated person, and indicating which matters remain unresolved and/or why they are not satisfied with how the complaint has been handled. No new complaints may be included.

The Trustees will establish a Complaints Panel made up of at least three people who have not been involved with the matters that are the subject of the complaint, at least one of whom is independent of the management and running of the Trust. They will choose one of their number to chair the meeting.

The Clerk will arrange a meeting of the Complaints Panel at a convenient time for all parties, as soon as possible and within 10–20 school days of receipt of the complainant's letter. Details of the complaint will be sent to the CEO and Chair of the Board of Trustees.

The CEO will then have 5 school days to submit their response to the Clerk. Any documents from either the complainant or the School to be considered by the Panel and the names of any witnesses who may be called must be received by the Clerk at least 5 school days before the meeting.

The Agenda for the meeting and copies of all papers submitted will be sent to members of the Panel, complainant, CEO and Chair of the Board of Trustees. The CEO will copy relevant papers to any staff named in the complaint.

The Complaints Panel will consider the complaint on the basis of the papers they receive and what is said at the meeting. In the event of either party not attending the meeting, the Chair of the Panel has the discretion to proceed or to adjourn the meeting. Once the Panel has heard

from both parties, it will adjourn to make its decision.

The Complaints Panel may:

- Uphold the complaint in full;
- Uphold the complaint in part; or
- Dismiss the complaint.

Or they may give a more complex response.

The complainant, any staff complained about, the CEO and Chair of the Board of Trustees will be advised in writing or by electronic mail of the outcome of the meeting including relevant findings and recommendations within 5 school days of the meeting.

The Complaints Panel may refer issues of principle or general practice to the Board of Trustees or the CEO.

6 Complaints to the Education and Skills Funding Agency

If a complaint has been considered in accordance with this Procedure, but the complainant is still not satisfied, then the complainant can make a complaint to the Education and Skills Funding Agency (ESFA). The ESFA will normally only consider a complaint after this Complaints Procedure has been exhausted. The ESFA cannot review or overturn decisions about complaints made by the Trust; they can only investigate whether the Trust considered the complaint appropriately and may request the Trust to re-consider the complaint or to review its procedure.

If a complainant wishes to refer their complaint to the ESFA, they should write to: ESFA Complaints, Chief Executive's Office, Cheylesmore House, Quinton Road, Coventry, CV1 2WT, or use the online enquiry form on the ESFA website.