



Pennine Academies Yorkshire

DRAFT COMPLAINTS POLICY AND PROCEDURE

POLICY HISTORY

Version:	V3
Date written:	November 2023
Review date:	November 2025
Ratified by:	Board of Trustees November 2025
Approved by (signature):	
	Chair of Trustees
Date issued:	December 2025
Responsibility of:	TRUST BOARD
Review period:	1 year
Date to be reviewed:	October 2026
Upload to academy website:	Yes

KEY AMENDMENTS TO THIS POLICY

October 2024

Complete policy review and rewrite by NR, replacing previous version.

CONTENTS

1. STATEMENT OF INTENT	4
Who can make a complaint?	4
2. LEGAL FRAMEWORK	4
If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations. If this happens, we will inform you of a proposed new timescale.	6
If a complainant commences legal action against the school in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.	6
Services provided by other providers	6
Concerns about SEND provision	6
3. DEFINITIONS	7
4. HOW TO RAISE A CONCERN OR MAKE A COMPLAINT	8
5. ANONYMOUS COMPLAINTS	9
6. UNREASONABLE COMPLAINTS	9
7. COMPLAINTS CAMPAIGNS	12
8. RESOLVING COMPLAINTS	12
9. COMPLAINT PROCESS	13
10. WHO TO DIRECT YOUR COMPLAINT TO:	14
Complainant:	15
Complaint Coordinator:	15
Investigating Officer:	15
Decision Maker:	16
Appeal Panel Chair:	17
11. COMPLAINT PROCESS	18
12. STAGE 2: FORMAL	19
13. STAGE 3: APPEAL	19
14. NEXT STEPS	22
15. THE ROLE OF THE LOCAL AUTHORITY	22
16. THE ROLE OF THE SECRETARY OF STATE (DEPARTMENT FOR EDUCATION)	23
APPENDICES	24

1. STATEMENT OF INTENT

Pennine Academies Yorkshire (PAY) is committed to the highest possible standards in provision. This means that we will take all concerns expressed about any of the schools seriously. We will deal with complaints as efficiently and effectively as possible and, if after investigation it is found that the complaint is upheld, we will take appropriate action.

The aim of the policy is to ensure that any concerns or complaints that are raised are managed efficiently, resolved at the appropriate level and are managed with empathy. Doing so is good practice but also helps to promote stakeholder confidence in our ability to manage relationships and expectations. We aim to resolve all concerns in a proactive, transparent way.

The Trust expects most concerns can be raised informally and will be resolved through informal discussion. We aim to:

- be impartial and non-adversarial
- facilitate a full and fair discussion/investigation where necessary
- address all concerns and provide an effective response
- where possible, respect confidentiality requests
- be respectful
- be transparent regarding progress of the complaints process

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Pennine Academies Yorkshire about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

PAYMAT will ensure the complaints procedure is accessible to all, including by providing reasonable adjustments such as translation, interpretation, scribing, or alternative formats in line with the Equality Act 2010.

Children/pupils who may wish to complain will be offered assistance, if required, to support them in doing so.

2. LEGAL FRAMEWORK

This procedure covers all complaints about any provision of community facilities or services by Pennine Academies Yorkshire and all our schools, other than complaints that are dealt with under other statutory procedures, which must be followed to meet our legal duty. The following list details some specific situations where this applies:

Subject of Concern	Appropriate Policy	Available From
Pupil Admissions	Individual School's Admissions Policy. Concerns about admissions should be raised with the Local Authority directly.	School Website
Statutory Assessment of Special Needs	Concerns about statutory assessment of special educational needs should be raised with the Local Authority.	Local Authority Website
Pupil Exclusion	School Discipline Regulations <i>Complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i>	Further information about raising concerns can be found at https://www.gov.uk/school-discipline-exclusions Behaviour Policy is available from School Website
Staff Grievance, Capability or Disciplinary.	Pennine Academies Yorkshire has policies for grievance, capability and disciplinary	Internal policies available to staff
Whistle Blowing	We have an internal whistleblowing procedure for all our employees including temporary staff and	Internal policy available to staff. Referrals can be made at

	<p>contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters directly with their employer.</p>	<p>https://www.gov.uk/contact-education</p>
Data Protection and Freedom of Information Requests	<p>Pennine Academies Yorkshire:</p> <ul style="list-style-type: none"> ▪ Data Protection Policy ▪ Subject Access Request Policy ▪ Freedom of Information Policy 	<p>Trust Website</p> <p>Consider that complainants may have a right to copies of these records under the Freedom of Information Act 2000, the Data Protection Act 2018 and GDPR</p>
Safeguarding and Child Protection	<p>Individual School's Safeguarding and Child Protection Policy</p>	<p>School's Website</p>

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations. If this happens, we will inform you of a proposed new timescale.

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

Services provided by other providers

Where a complaint concerns a third party used by Pennine Academies Yorkshire or by an individual Pennine school, please contact the third party directly.

Concerns about SEND provision

Any concerns or complaints about SEND provision by parents or carers should be initially raised informally, whether by email, letter or a telephone call with the

school's SENDCo (Special Educational Needs and Disabilities Coordinator). The SENDCo will look to respond to the concerns immediately where possible. If required, they will investigate the concerns and report back within a week.

If the parents/carers continue to be dissatisfied, a formal complaint should be raised, beginning at Stage 1 of the complaints procedure outlined in this policy.

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations. If this happens, we will inform you of a proposed new timescale.

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

3. DEFINITIONS

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

For the purpose of this policy, a **'complaint'** is defined as *'an expression of dissatisfaction however made, about actions taken or a perceived 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. Pennine Academies Yorkshire takes concerns seriously and will make every effort to resolve the matter as quickly as possible. We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Pennine Academies Yorkshire will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

A **'grievance'** is an issue raised by a member of staff where they feel the school has not implemented a policy or process fairly or properly. Grievances will be dealt with in line with the Grievance Procedure.

For the purpose of this policy, “concerns” will be classed and addressed as complaints. Any further references to “complaints” will include “concerns”.

In this policy:

- Working days excludes weekends, bank holidays and academy holidays

4. HOW TO RAISE A CONCERN OR MAKE A COMPLAINT

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so.

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

Complaints that involve or are about the head teacher should be addressed to Michael Thorp, Chief Executive Officer via the trust office. Please mark them as Private and Confidential.

Complaints about the Chief Executive Officer (CEO) or a trustee of the Trust, should be addressed to Deirdre Bailey, Chair of Trustees, via the trust office. Please mark them as Private and Confidential.

For ease of use, a template complaint 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 a third-party organisation for example 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.

Conduct when raising concerns

In order to ensure a timely and pleasing resolution to any concerns and complaints, Pennine Academies Yorkshire expects that anyone raising a concern will:

- Cooperate with the school/Trust in seeking a solution to the complaint
- Express the complaint and their concerns in full at the earliest possible opportunity
- Promptly respond to any requests for information or meetings
- Ask for assistance as needed
- Treat any person(s) involved in the complaint with respect

If the issue remains unresolved, the next step is to make a formal complaint.

Confidentiality and Social Media

In order for complaints to be resolved as quickly and fairly as possible, Pennine Academies Yorkshire requests that complainants not discuss complaints publically including via social media such as Facebook and X. Complaints will be dealt with confidentially for those involved, and we expect complainants to also observe confidentiality. Defamatory, offensive or otherwise inappropriate comments on social media will be reported to the appropriate authorities.

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 only 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. ANONYMOUS COMPLAINTS

We will not normally investigate anonymous complaints. However, the Headteacher or Central Team, if appropriate, will determine whether the complaint warrants investigation.

6. UNREASONABLE COMPLAINTS

The Trust and its schools are committed to dealing with all complaints fairly and impartially, providing a high-quality service to those who complain. The Trust will not normally limit the contact complainants have with the Trust itself or any of its schools;

however, the Trust does not expect staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

For the purposes of this policy, “unreasonable complaints” include:

Vexatious complaints, which:

- Are obsessive, persistent, harassing, prolific, or repetitious.
- Insist upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason.
- Insist upon pursuing meritorious complaints in an unreasonable manner.
- Are designed to cause disruption or annoyance.
- Demand for redress which lacks any serious purpose or value.

Serial or persistent complaints, which are:

- duplicated, sent by the same complainant once the initial complaint has been closed.
- new complaints that are submitted additionally, as part of an existing open complaint, by the same complainant.

A complaint may also be regarded as unreasonable when the complainant:

- Refuses to articulate their complaint or specify the grounds of a complaint or the
- outcomes sought by raising the complaint, despite offers of assistance.
- Refuses to cooperate with the complaints investigation process while still wishing their complaint to be resolved.
- Refuses to accept that certain issues are not within the scope of a complaints procedure.
- Insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- Introduces trivial or irrelevant information which they expect to be taken into account and commented on, or 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
- Trust's complaints procedure has been fully and properly implemented and completed, including referral to the relevant government department.
- Seeks an unrealistic outcome.
- Makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the complainant:

- Acts maliciously or aggressively.
- Uses threats, intimidation or violence.
- Uses abusive, offensive or discriminatory language.
- Knows the complaint to be false.
- Uses falsified information.
- Publishes unacceptable information in media such as social media websites and newspapers.

The above applies regardless of the method the complaint is made, e.g. face-to-face, by telephone, in writing or electronically.

Complainants should limit the number of communications with the Trust while a complaint is being progressed. It is not helpful if repeated correspondence is sent, either by letter, phone, email or text, as it could delay the outcome being reached.

Whenever possible, the member of staff or trustee leading the response to a complaint will discuss any concerns with the complainant informally before applying an 'unreasonable' marking. If a complainant is classified as unreasonable, they will be informed in writing and may request a review of this decision by a trustee independent of the original decision-maker.

Serial or persistent complaints will only be marked as 'serial' once the complainant has completed the complaints procedure. It is the complaint that will be marked as 'serial', meaning the complainant can complain about a separate issue if necessary.

If the behaviour continues, the individual handling the complaint will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the Trust or any of its schools causing a significant level of disruption, the Trust may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after six months.

A decision to stop responding will only be considered in circumstances where the following statements are true:

- Every reasonable step has been taken to address the complainant's concerns
- The complainant has been given a clear statement of the Trust's position and their options
- The complainant contacts the Trust or any of its Schools repeatedly, making substantially the same points each time

If the above criteria are met, in making a decision to stop responding, the Trust will also consider if the complainant is often abusive or aggressive in their communication, makes insulting personal comments about or threats towards staff, or if the Trust believes their intent is to disrupt or inconvenience the Trust or its Schools.

The Trust will not stop responding to a complainant on the basis that they are difficult to deal with or they ask complex questions.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from the premises.

7. COMPLAINTS CAMPAIGNS

Where the Trust becomes the subject of a complaints campaign from complainants who are not connected with the Trust, a standard, single response may be published.

If the Trust receives a large number of complaints about the same subject from complainants who are connected to the Trust, for example parents, then each

complainant will receive an individual response. The Trust will not ordinarily meet with groups of complainants, this is against Trust policy.

If complainants remain dissatisfied with the Trust's response, they will be directed to the relevant government department.

8. RESOLVING COMPLAINTS

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

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

Withdrawal of a complaint

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

9. COMPLAINT PROCESS

The correct procedure can be summarised in the following flowchart:

Stage 1	Informal Complaints should be reported verbally to the appropriate member of staff
Stage 2	Formal If the complainant remains dissatisfied, verbal or written complaints should be made as per the below table.
Stage 3	Formal If the complainant remains dissatisfied, written appeals should

	<p>be made as per the table below.</p> <ul style="list-style-type: none"> • Will acknowledge the complaint within 5 working days • Will appoint an investigating officer and provide the complainant with an outcome
Stage 4	<p>Formal</p> <p>Complaints should only be escalated to Stage 4 if complainants believe the correct process has not been followed, or if the procedure does not comply with statutory requirements or an academy has failed to comply with a duty imposed under its funding agreement. This stage only refers to complaints that haven't been reviewed by Trustees as part of the complaint or appeal process.</p>

10. WHO TO DIRECT YOUR COMPLAINT TO:

Stage 1 is an informal complaints procedure and would be raised directly with an appropriate member of staff.

Member of staff the complaint refers to:	Complaint to be sent to:	Complaint investigated by:	Decision maker:	Appeal to:
Member of school staff excluding the Head.	School Headteacher	SLT as delegated by the Headteacher	School Headteacher	Central Team
Headteacher	CEO or Deputy CEO	Member of the Central Team or independent investigator as delegated by the CEO	Executive Team	CEO
Member of the Central Team	CEO or Deputy CEO	Member of the Exec/Central Team as delegated by the appropriate Exec member	Executive Team Member delegated by the CEO	CEO
Chief Executive Officer	Chair of Trust Board	Trustee(s) delegated by	Chair of Panel delegated by	Chair of Trust Board

		the Chair or an independent investigator	Chair of Trust Board	
Trust Board	Clerk to the Board (via the complaints@pgy.mat.org email)	As agreed with the Chair of Trustees - external	Panel of Trustees delegated by Chair of Trustees	Chair of Trustees
Chair of Trust Board	Clerk to the Board (via the complaints@pgy.mat.org email)	As agreed with the CEO - external	Panel of Trustees	Chair of Trustee Appeal Panel

Definitions of Roles and Responsibilities

Complainant:

The person who sets out the complaint, e.g. parent, carer, member of the public, external organisation.

The complainant will receive a more effective response to the complaint if they:

- Explain the complaint in full as early as possible
- Cooperate with the school in seeking a solution to the complaint
- Respond promptly to requests for information or meetings or in agreeing the details of the complaint
- Ask for assistance as needed
- Treat all those involved in the complaint with respect
- Refrain from publicising the details of their complaint on social media and respect confidentiality

Complaint Coordinator:

The person to whom the complaint should be directed in the first instance.

The complaints co-ordinator should:

- Ensure that the complainant is fully updated at each stage of the procedure
- Liaise with staff members, Headteacher, CEO, Chair of Governors, Chair of Trust Board or the Clerk and to ensure the smooth running of the complaints procedure
- Be aware of issues regarding:
- Sharing third party information
- Additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person

- Keep records

Investigating Officer:

The person who will investigate the complaint. This may be delegated by the CEO/Chair of the LGB/Chair of the Trust as appropriate.

The investigator's role is to establish the facts relevant to the complaint by:

- Providing a comprehensive, open, transparent and fair consideration of the complaint through:
- Sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
- Interviewing staff and children/young people and other people relevant to the complaint
- Consideration of records and other relevant information
- Analysing information
- Liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator will:

- Conduct interviews with an open mind and be prepared to persist in the questioning
- Keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- Ensure that any papers produced during the investigation are kept securely pending any appeal
- Be mindful of the timescales to respond
- Prepare a comprehensive report for the Headteacher or complaints panel that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The headteacher or complaints panel will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.
- Ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- Set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- Collate any written material relevant to the complaint (for example: stage 1

paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale

- Arrange for a clerk to attend the meeting to :
- Record the proceedings
- Circulate the minutes of the meeting
- Notify all parties of the panel's decision.

Decision Maker:

The person who hears the complaint and makes the decision to uphold or dismiss the complaint

Appeal Panel Chair:

The person to whom the complainant appeals is unhappy with the outcome of the complaint once the initial process is complete and the decision conveyed by the decision maker.

The panel's chair, who is nominated in advance of the complaint meeting, should ensure that:

- Both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- The meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- Complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- The remit of the panel is explained to the complainant
- Written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.
- If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting
- Both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- The issues are addressed
- Key findings of fact are made
- The panel is open-minded and acts independently
- No member of the panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure

- The meeting is minuted
- They liaise with appropriate parties for additional support such as the Trust Clerk, HR advice etc.

Appeal Panel Member:

- The meeting must be independent and impartial, and should be seen to be so
- No trustee may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it
- The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant
- We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations
- Many complainants will feel nervous and inhibited in a formal setting
- Parents/carers often feel emotional when discussing an issue that affects their child
- Extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting
- Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated
- The panel should respect the views of the child/young person and give them equal consideration to those of adults
- If the child/young person is the complainant, the panel should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the panel should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend
- However, the parent should be advised that agreement might not always be possible. If the parent wishes the child/young person to attend a part of the meeting that the panel considers is not in the child/young person's best interests
- The welfare of the child/young person is paramount.

11.COMPLAINT PROCESS

It is to be hoped that most concerns can be expressed and resolved on an informal basis.

The first port of call is to always discuss initial concerns with the member of staff informally. The Trust welcomes these conversations at an early stage and will take them seriously to resolve them.

- Most issues can be resolved promptly, but, if the member of staff is unable to deal immediately with the matter, a clear note will be made, including the complainant's name, phone number and date. The parent will be contacted as soon as the matter has been investigated. Normally this would be within 10 working days. The member of staff may also consult the Headteacher or line manager at this stage.
- The member of staff should ensure that the parent is clear what action or monitoring of the situation has been agreed.
- If no satisfactory solution has been found, parents will be asked if they wish their concern to be considered further.

A complainant requesting further consideration of their concern can do so in person, by telephone or in writing to the appropriate person as listed in Table 1. A formal complaint form is available, as an attachment to this policy (however, please be advised that the form is not compulsory, if it is easier, you may simply put your complaint in writing ensuring you have provided all the information listed on the form).

12. STAGE 2: FORMAL

Formal complaints must be made to the relevant person (as listed in Table 1). This may be done via telephone, email or writing.

- The complaint receiver will acknowledge the complaint in writing, within 5 working days.
- On receipt, the complaint receiver will appoint an investigating officer. The investigating officer will be confirmed to you in writing.
- Within the response, the investigating officer will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The investigating officer can consider whether a face-to-face meeting is the most appropriate way of doing this.
- It is the responsibility of the investigating officer, reporting to the Complaint Receiver to make arrangements for fact finding interview(s) to take place
- The investigating officer will keep a written record of meetings, telephone conversations and other documentation.
- Once all relevant facts have been established, the investigating officer will report to the Complaint Receiver who will then respond within 10 working days of the date of the receipt of the complaint
- If the Complaint Receiver is unable to meet this deadline, they will provide the complainant with an update and revised response date.
- If the complainant is not satisfied, they will be advised to write an appeal and direct it to the relevant Appeal Officer as per Table 1.

13. STAGE 3: APPEAL

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 panel hearing consisting of at least two people who were not directly involved in the matters or process thus far with and one panel member who is independent of the management and running of the school. **The independent member will not be a member of the Trust, its committees, or any school within PAYMAT.** This is the final stage of the complaints procedure. In order to proceed to Stage 3, the complainant must detail in writing the reason(s) for their dissatisfaction with the Stage 2 outcome. In some instances, it may be appropriate for the panel to call witnesses from the Stage 2 hearing.

A request to escalate to Stage 3 must be made to the Trust complaints response team, within 5 working days of receipt of the Stage 2 response. This request must be emailed to complaints@paymat.org or sent by post to **Pennine Academies Yorkshire, c/o Farnham Primary School, Stratford Road, Bradford, BD7 3HU** marking it Private and Confidential for the attention of the relevant person as identified in Table 1.

A member of the complaints team will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 10 working days. Requests received outside of the time frame listed in section 4 will only be considered if exceptional circumstances apply.

The Appeal Officer team will write to the complainant to inform them of the date of the appeal meeting. They will aim to convene a meeting within 15 working days of receipt of the Stage 3 request. If this is not possible, the Appeal Officer will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Appeal Officer 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.

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend.

If a school employee is called as a witness in a complaint meeting, they may wish to be supported by a union representative or colleague that is not associated with the process.

The hearing will be clerked by someone impartial and sufficiently trained.

Note: Complaints about staff conduct will not generally be handled under this

complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under (Human Resources) staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least 5 working days before the meeting, the Appeal Officer 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 panel at least 5 working days before the meeting.

Any written material will be circulated to all parties at least 3 working days before the date of the meeting. The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The panel will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with 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 panel will consider the complaint and all the evidence presented. The panel can:

- Uphold the complaint in whole or in part
- Dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the panel will:

- Decide on the appropriate action to be taken to resolve the complaint
- Where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the Panel will provide the complainant and the school/Trust with a full explanation of their decision and the reason(s) for it, in writing, within 10 working days.

The letter to the complainant will include details of how to contact the relevant

government department if they are dissatisfied with the way their complaint has been handled by the Academy.

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 school/Trust will take to resolve the complaint.

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the proprietor and the Headteacher.

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

14. NEXT STEPS

If the complainant believes the school/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 relevant government department after they have completed Stage 3.

The relevant government department will not normally reinvestigate the substance of complaints or overturn any decisions made by the school. They will consider whether the school 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 relevant government department online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Academy Complaints and Customer Insight Unit Education and Skills Funding
Agency Cheylesmore House
5 Quinton Road

Coventry
CV1 2WT

15. THE ROLE OF THE LOCAL AUTHORITY

The Local Authority does not have a statutory duty to consider Trust or school complaints and you do not have a right of appeal to the Local Authority should you disagree with the decision. You may, however, raise the matter with the Local Authority if you consider the complaint wasn't investigated properly or fairly. So long as the method of investigation followed a proper procedure and considered the complaint in a reasonable manner, then the Local Authority will simply inform you of that fact. It cannot reverse a decision of the Trust.

16. THE ROLE OF THE SECRETARY OF STATE (DEPARTMENT FOR EDUCATION)

If you still remain dissatisfied and feel the Trust has acted unreasonably, or that it has failed to discharge a statutory duty, you may wish to refer your complaint to the Secretary of State for Education. Please go to the website www.gov.uk for the different avenues you may wish to take.

APPENDICES

Appendix 1: Complaint Form

Please complete and return to the relevant person as listed in Table 1 who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Email address:

Please give details of your complaint, including whether you have spoken to anybody at the school about it.

What actions do you feel might resolve the problem at this stage?

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

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Action taken:

Date:

Appendix 2: Complaints Process Overview

1. Stage 1: Informal

- Raise the concern verbally with the relevant staff member.

2. Stage 2: Formal

- If unresolved, submit a formal complaint in writing or verbally to the appropriate person (e.g., headteacher or CEO).
- The complaint will be acknowledged within 5 working days, and an investigating officer will be appointed.
- The investigation will be completed within 10 working days.

3. Stage 3: Appeal

- If still dissatisfied, escalate the complaint to an appeal panel by submitting a written request. A request to escalate to Stage 3 must be made to the Trust complaints response team, within 5 working days of receipt of the Stage 2

response. This request must be emailed to complaints@paymat.org or sent by post to Pennine academies Yorkshire, Unit 10C, Lister Court, Lister Mill, Beamsley Road, Bradford, BD9 4SH marking it Private and Confidential for the attention of the relevant person as identified in Table 1.

- The panel, including at least one independent member, will review the complaint and respond within 10 working days.

4. Final Step: External Appeal

- If not satisfied with the internal processes and believe due process has not been followed, you can refer the complaint to the relevant government department

A table of communication:

Member of staff the complaint refers to:	Complaint to be sent to:	Complaint investigated by:	Decision maker:	Appeal to:
Member of school staff excluding the Head.	School Headteacher	SLT as delegated by the Headteacher	School Headteacher	Central Team
Headteacher	CEO/Deputy CEO	Member of the Central Team or independent investigator as delegated by the CEO	Executive Team	CEO
Member of the Central Team	CEO/Deputy CEO	Member of the Exec/Central Team as delegated by the appropriate Exec member	Executive Team Member delegated by the CEO	CEO
Chief Executive Officer	Chair of Trust Board	Trustee(s) delegated by the Chair or an independent investigator	Chair of Panel delegated by Chair of Trust Board	Chair of Trust Board
Trust Board	Clerk to the	As agreed with	Panel of	Chair of Trustees

	Board (via the complaints@pammat.org email)	the Chair of Trustees - external	Trustees delegated by Chair of Trustees	
Chair of Trust Board	Clerk to the Board (via the complaints@pammat.org email)	As agreed with the CEO - external	Panel of Trustees	Chair of Trustee Appeal Panel