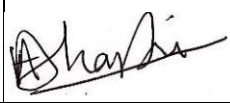
COMPLAINTS POLICY

Date this policy takes effect:	Review frequency:	Date to review:	Date to be ratified:
3rd December 2024	Annually	CEO Autumn 2025	Board of Trustees Autumn 2025
How will Trustees be assured this has been implemented?		Through analysing complaints made to the Trust.	
Signed:		Sash Hamidi (CEO)	
Signed:		Aliya Dhanji (CHAIR OF TRUSTEES)	
All policies are subject to change or review in light of Government guidance or when applied.			
This policy works alongside the following policies: *SEND Policy, Allegations, Behaviour, Attendance, Exclusions, Safeguarding, Low Level Concerns, Community Behaviour*			

The Pegasus Partnership Trust

THE PEGASUS PARTNERSHIP TRUST

"Children First"

Our Vision Statement

Within The Pegasus Partnership Trust, our vision and aims of education are underpinned by the UNICEF United Nations Conventions on the Rights of the Child (UNCRC).

We believe:

- All learning should be purposeful and experiential
- In learning values and skills for whatever the future brings
- We can be world changers

We are a PRIMARY MAT for PRIMARY SCHOOLS so every child's PRIMARY EXPERIENCE enables lifelong learning

This means we are committed to providing an education, for all children, that should develop their personality, talents and abilities to the full (article 29). We encourage a sense of community spirit, where children pastoral care and well-being underpins academic, co-curricular and sporting excellence. We aim to achieve this through an inspiring curriculum, that is child-centred (article 3), and extends child learning beyond the constraints of the classroom. We want to instil a life-long love of learning and equip children with skills that develop their independence, critical thinking, self-awareness, resilience and self-confidence.

Statement of intent

The Pegasus Partnership Trust aims to ensure that all personal data collected about staff, children, parents, those in governance, visitors and other individuals is collected, stored and processed in accordance with the General Data Protection Regulation (GDPR) and the expected provisions of the Data Protection Act 2018 (DPA 2018) as set out in the Data Protection Bill. The academy may, from time to time, be required to share personal information about its staff or children with other organisations, mainly the LA, other schools and educational bodies, and potentially social services. This policy applies to all personal data, regardless of whether it is in paper or electronic format.

Safeguarding Statement

The Pegasus Partnership Trust respects and values all children and are committed to providing a caring, friendly and safe environment for all our children so they can learn, in a relaxed and secure atmosphere (article 31). We believe every child should be able to participate in all academy activities in an enjoyable and safe environment and be protected from harm (article 19). This is the responsibility of every adult employed by, or invited to deliver services to academies within the Trust. We recognise our responsibility to safeguard all who access school and promote the welfare of all our children by protecting them from physical, sexual and emotional abuse, neglect and bullying.

Equality Statement

At The Pegasus Partnership Trust, we ensure equality of education and opportunity for all children, staff, parents and carers receiving services from the academy, irrespective of age, race, gender (re-assignment), disability (article 23), religion and belief (article 14), sexual orientation, marital/cohabiting status or socio-economic background (article 2). We develop a culture of inclusion and diversity in which all those connected to the academy feel proud of their identity and able to participate fully in academy life.

The achievement of children is monitored by race, gender and disability and we use this data to support children, raise standards and ensure inclusive teaching. We tackle discrimination by the positive promotion of equality, challenging bullying and stereotypes and creating an environment which champions respect for all. We believe that diversity is a strength, which should be respected and celebrated by all those who learn, teach and visit here.

This policy sets the expectation that all staff at The Pegasus Partnership Trust (the "Trust") see themselves as learners and therefore reflects their development as professionals.

Key points and summary:

The Pegasus Partnership Trust (TPPT) takes all concerns or complaints seriously.

Taking informal concerns seriously at the earliest stage reduces the numbers of formal complaints and reflects the commitment to working effectively with all members of the community.

This policy will be operated by each academy which are a part of The Pegasus Partnership Trust.

This policy aims to ensure that:

1. as far as possible all concerns should be dealt with as informally as possible.

2. all complaints are dealt with as quickly and sensitively as possible, and by the person best able to do so;

3. where a formal process is required, the steps involved are clearly outlined

4. individuals are aware of their responsibilities

5. The emphasis is to understand, investigate and resolve the complaint as early as possible.

6. The formal process has three stages:
    1. Complaint heard by a member of staff;
    2. Complaint heard by the relevant Academy Lead or the CEO;
    3. Appeal heard by a Complaints Panel.

7. Please note that a complaint made by a member of the general public will follow a procedure, however the process and outcome will not be disclosed in line with our approach to confidentiality.

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1.0 Introduction and statement of intent

1.1 The Pegasus Partnership Trust (TPPT) takes all concerns or complaints seriously. Taking informal concerns seriously at the earliest stage reduces the numbers of formal complaints and reflects the commitment to working effectively with all members of the community.

1.2 This policy aims to ensure that:

a. as far as possible all concerns should be dealt with as informally as possible.
b. all complaints are dealt with as quickly and sensitively as possible, and by the person best able to do so;
c. where a formal process is required, the steps involved are clearly outlined
d. people are aware of their responsibilities

1.3 School Governing Bodies are required under Section 29 of the Education Act 2002 to have in place a procedure for dealing with complaints relating to the academy. It is also based on guidance for schools on complaints procedures from the Department for Education (DfE).Sometimes when concerns are more specific, there are alternative and more appropriate policies for dealing with them.

2.0 Scope and applicability

2.1 This policy applies to all complaints received by the Trust, irrespective of who makes the complaint.

2.2 This policy therefore applies to complaints received from parents/carers of children and to complaints from any other individual.

2.3 This policy applies to all volunteers, staff, contractors, Trustees and Local Stakeholder Group (LSG) Associates.

2.4 This policy will be followed in respect of all complaints against the academy except in the following areas (where separate policies exist):

a. child protection allegations; *(CHILD PROTECTION & SAFEGUARDING POLICY)*
b. exclusions; *(EXCLUSIONS POLICY)*
c. admissions; *(ADMISSIONS POLICY)*
d. complaints about statements of SEND/ EHC Plans; *(SEND POLICY)*
e. disciplinary or capability issues relating to members of staff; *(GRIEVANCE, CAPABILITY, DISCIPLINARY, STAFF CODE OF CONDUCT POLICY)*
f. allegations of abuse. *(GRIEVANCE, ALLEGATIONS AGAINST STAFF & VOLUNTEERS POLICY)*
g. Anonymous/whistleblowing complaints *(WHISTLEBLOWING POLICY)*

2.4 Should a complaint, informal or formal, reveal an issue for which other procedures exist (for example, child protection) then it will be dealt with under those procedures rather than as a complaint.

2.5 Please note that anonymous complaints may hinder our ability to investigate effectively.

2.6 All complaints **should be brought within term time** and **within 5 working days** of the date of the incidentto which the complaint relates. If 5 working days goes into a school holiday period, it must be made before the end of the term – this could be an initial email pending further details being sent on the complaints proforma.

3.0 The policy

Concerns and complaints

3.1 It is important to distinguish between a "concern" and a "complaint". Most concerns can be made informally to the initial member of staff and be resolved without the need to go through the formal complaint procedures.

3.2 **A concern** is defined as "an expression of worry or doubt over an issue considered to be important for which reassurances are sought". The academy will resolve concerns through day-to-day communication as far as possible.

A complaint is defined as "an expression of dissatisfaction however made, about actions taken or a lack of action".

3.3 Initial concerns should be raised with the academy as soon as possible to allow the matter to be considered carefully, potentially including the following information (as appropriate to the issue that has been raised):

a. Clarifying the nature of the concern and what remains unresolved from the perspective of the person raising the concern; and
b. Establishing what has happened so far, and who has been involved, including seeking input from those who have been involved.

A concern may arise (for example):

3.4 from uncertainty regarding the application of academy rules or behaviour procedures

3.5 from misunderstanding or misrepresentation of an incident which has taken place inside or outside the classroom

3.6 where a parent/carer believes that their child has been misunderstood or treated unfairly and feels it necessary to raise the matter so that steps may be taken to restore goodwill

3.7 where a parent/carer believes that their child is being bullied or has suffered some form of discrimination and brings the matter to the academy's notice so that action can be taken to prevent a recurrence

3.8 Concerns should normally be raised with the member of teaching staff most directly involved in the situation giving rise to the concern. Parents/carers will appreciate that it is helpful if a concern is expressed as soon as possible after the relevant incident ***to a maximum of five working days (term time)***. The staff member will respond as soon as practicable, and in any case ***within three working days***; if this time limit is not practicable, the complainant will be informed and the period may be extended.

3.9 A complaint may arise (for example):

a. when an individual has previously raised a concern and is not satisfied with the response offered; and / or

b. where an individual has serious disquiet over an incident that has taken place or a decision made in the academy and believes the academy has fallen short of appropriate standards.

3.10 Complaints should be recorded, either by the individual (writing to the Academy Lead of the relevant academy and completing the Complaint Form at the end of this document), or by a member of staff following a Stage 1 meeting with the individual. Note – if the complaint concerns the CEO any correspondence should be addressed to the Chair of Trustees.

3.11 All complaints, including all Complaint Forms, will be held by the Company Secretary to the Trust.

3.12 The Board of Trustees has approved the following procedure which explains what the Complainant should do if they have any concerns about the academy. To support this, we will ensure we publicise the existence of this policy and make it available on the Trust and Academy websites. Where appropriate, the Academy or Trust may offer mediation to resolve a concern or complaint at any stage of the process

4.0 Principles for investigation

4.1 When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

4.2 We also intend to address complaints as quickly as possible. To achieve this, realistic and reasonable time limits will be set for each action within each stage.

4.3 Where further investigations are necessary, new time limits will be set, and the complainant will be sent details of the new deadline with an explanation for the delay.

4.4 The academy expects that complaints will be made ***within five working days*** after an incident arises. We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

4.5 Raising Concerns

The majority of concerns can be dealt with without resorting to the complaints procedure. Where the Complainant has a concern or query about any aspect of the academy or their child's education or wellbeing, raise this with their child's Class Teacher or Academy Lead in the first instance. Ideally, they will be able to address the Complainants concerns immediately or can arrange a meeting with them to discuss the issue.

All concerns will be dealt with confidentially, although it may be necessary to take notes if the matter may need to be taken further or may arise again in the future.

4.6 Recording Complaints

Each academy must ensure that they comply with their obligations under the Equality Act. It is common practice to ask for complaints to be made by using a complaint form, however the complainant may have communication preferences due to disability or learning difficulties and each Academy must allow alternative methods of contact:

4.7 A complaint should be on the complaint form (unless due to disability or learning difficulty);

- In order to prevent any later challenge or disagreement over what was said, brief notes of meetings and telephone calls should be kept and a copy of any written response added to the record. Where there are communication difficulties, academies may wish to use recording devices to ensure the complainant is able to access and review the discussions at a later point;

- Academies should record the progress of the complaint and the final outcome. The CEO or Academy Lead should be responsible for these records and hold them centrally.

- Academies should be aware that complainants have a right to copies of these records under the Freedom of Information and Data Protection Acts.

4.8 Safeguarding
Wherever a complaint indicates that a child's wellbeing or safety is at risk, each academy is under a duty to report this immediately to the local authority. Any action taken will be in accordance with the Trust's Child protection & Safeguarding policy.

4.9 Social Media
In order for complaints to be resolved as quickly and fairly as possible, we insist that complainants do not raise concerns or discuss them publicly via social media. Complaints will be dealt with confidentially by the academy and we expect complainants to observe confidentiality also. Please refer to the academy's GDPR policy. If social media has been used to share information linked to the complaint, we will be unable to address the complaint and the complaint will be closed.

4.10 Complaints that result in staff capability or disciplinary
If at any formal stage of a complaint it is determined that staff disciplinary or capability proceedings are necessary, the details of any action will remain confidential to the CEO, Academy Lead and/or the individual's line manager. The complainant is not entitled to participate in the process or receive any detail about the proceedings.

4.6 Complaints about the CEO, Academy Lead or the Trustees or LSG Associates
Where a complaint concerns the actions of the Academy Lead, the complainant should first approach the CEO at ceo@theppt.co.uk in an attempt to resolve the issue informally. If the complainant is not satisfied with this outcome they should notify the Chair of LSG (care of the Clerk to the LSG) that they wish to take a complaint forward. The Stage 2 process will then commence and the Chair of LSG will take the process forward.

Where a complaint is against the CEO, it should be made in writing to the clerk to the Board of Trustees in the first instance. This should be e-mailed to the Clerk to the Board of Trustees to be discussed with the Chair of Trustees at governance@theppt.co.uk

Where a complaint is against the Chair of LSG, any member of the LSG, or the entire LSG, it should be made in writing to the clerk to the Board of Trustees in the first instance. This should be e-mailed, addressed to The Clerk to the Board of Trustees.

If the complaint is against the Board of Trustees and there is concern that the CEO is involved, after an initial informal attempt to resolve, the Whistleblowing Policy should be used or direct contact with the ESFA. If the CEO is not involved, the complaint can go to them initially.

5.0 Investigating complaints

5.1 The person investigating the complaint will make sure that they:

a. establish what has happened so far, and who has been involved;
b. clarify the nature of the complaint and what remains unresolved;
c. meet with the complainant or contact them (if unsure or further information is necessary);
d. clarify what the complainant feels would put things right;
e. interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
f. conduct the interview with an open mind and be prepared to persist in the questioning; and
g. keep notes of the interview.

6.0 Resolving complaints

6.1 At each stage in the procedure the person attempting to resolve the complaint will keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is a valid complaint (in whole or in part) without admitting liability.

In addition, it may be appropriate to offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an explanation of the steps that have been taken to ensure that it will not happen again; and
- an undertaking to review Academy policies in light of the complaint.

6.2 Complainants will be encouraged to state what actions they feel might resolve the problem at any stage. An admission that the Academy could have handled the situation better is not the same as an admission of negligence.

6.3 At all stages those hearing the complaint will attempt to identify areas of agreement between the parties, and to clarify any misunderstandings that might have occurred in order to create a positive atmosphere in which to discuss any outstanding issues.

6.4 At any stage the relevant Academy Lead, or the CEO, is able to consider whether a complaint is vexatious, unreasonably persistent, or whether the complainant has engaged or is engaging in unreasonable behaviour in accordance with section 10 of this policy. If the relevant Academy Lead or the CEO considers that the provisions of section 10 apply they may act accordingly to ensure any legitimate complaint is appropriately investigated while ensuring that any unreasonable elements or behaviour is managed.

7.0 Stages of formal complaint

Stage 1:

Complaint heard by a member of staff

7.1 It is the interests of everyone that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the academy can be crucial in determining whether their complaint will escalate.

7.2 Staff need to be sensitive to any potential actual or perceived conflicts of interest or difficulties of a particular member of staff being involved in investigating the complaint.

7.3 To ensure clarity of understanding, a Complaint Form needs to be completed. This ensures that there is no conflict in determining what the complaint consists of and the action taken by members of staff.

7.4 The member of staff will ensure that they have investigated it appropriately. This may include a meeting with the complainant.

7.5 The member of staff investigating the complaint will respond to the complainant in writing/ email, which will outline their response to the complaint and any action that has or will be taken.

7.6 It is normally expected that ***complaints will be acknowledged within five working days***, and the ***Stage 1 process completed within fifteen school days***. If it is clear that the process is going to take longer than this, the reasons for this should be explained to the complainant.

7.7 The member of staff should update the Complaints Form and pass this to the Academy Lead and Company Secretary for the Trust for retention, alongside their written response to the complainant.

Stage 2:

Complaint heard by appropriate senior member of staff appointed by the Academy Lead

7.8 The complainant should write to the relevant Academy Lead giving details of either the areas of the complaint left outstanding following Stage 1 or concerning the Stage 1 process. This notification needs to be received ***within fifteen school days*** of the decision from Stage 1 being issued to the complainant otherwise it will be deemed that the decision is accepted and the complaint will be closed.

7.9 The Academy Lead may formally reject a complaint if, in their judgment, the complaint –

- Was received too long after the alleged incident for realistic investigation to take place;
- Does not identify specific actions or incidents that are capable of being investigated;
- Refers only to issues that have already been determined;
- Is vexatious; or
- Raises only minor matters that should have been resolved in discussion with the staff member involved.

7.10 The Academy Lead will nominate a senior member of staff to investigate these issues (the "Investigating Officer"), or will escalate the complaint to the CEO where that is appropriate (for instance if the complaint raises issues that affect more than one academy within the Trust or if the complaint is about a LSG Associate or Trustee).

7.11 If the complaint is escalated to the CEO, they will nominate a senior member of staff to investigate the issues (or the Chair of LSG if a complaint is about a LSG Member, or another Trustee if the complaint is about a Trustee), and for the remainder of this Stage 2 process and the Stage 3 process, references to the Academy Lead would refer to the CEO.

7.12 The Investigating Officer will consider both the original complaint and the process followed during Stage 1. They will report to the Academy Lead.

7.13 Following the report of the investigating officer, the Academy Lead can:

- Dismiss the complaint in whole or in part (including if there is insufficient evidence to uphold the complaint or if the complaint is vexatious or abusive);
- Uphold the complaint in whole or in part;
- Decide on appropriate action to resolve the complaint; or
- Recommend changes to the academy's systems or procedures.

7.14 The Academy Lead could request a face-to-face meeting with the complainant to talk through the outcomes and move forwards from the complaint (as in paragraph 6.1). After this they will put their judgement and rationale, including details of the process followed, in writing to the complainant.

7.15 It is normally expected that the ***Stage 2 process would be completed within fifteen school days*** of the Academy Lead initiating Stage 2, which should be immediately after Stage One has been completed with an unresolved outcome. If it is clear that the process is going to take longer than this, the reasons for this should be explained to the complainant.

7.16 If the Investigating Officer makes any recommendations regarding changes to academy processes as a result of the investigation, or the Academy Lead decides these are necessary following consideration of the findings of the Investigating Officer, the Academy Lead will be responsible for reviewing these recommendations and implementing them where appropriate. Acceptance of recommendations will be at the discretion of the Academy Lead, unless the investigation reveals processes that do not comply with statutory, Funding Agreement, or DfE/ESFA requirements when the Academy Lead will be required to ensure compliance as soon as possible.

7.17 The Academy Lead should update the Complaints Form which should be completed and passed to the Company Secretary for the Trust for retention, along with a copy of their written response to the complainant.

Stage 3:

Panel Hearing

7.18 If the Complainant is feels the complaint is still unresolved at the end of Stage 2, they should write to the appropriate person (See paragraph 4.6) giving details about the aspects of the decision or the Stage 2 process that they are appealing against. The appropriate person will be the Chair of the Local Stakeholder Group for all complaints except those where the complaint was escalated to the CEO in Stage 2; in those instances, the appropriate person will be the Chair of Trustees. Throughout the remainder of this Stage 3 process, references to the Chair of the Local Stakeholder Group should be read as references to the Chair of Trustees in appropriate cases.

7.19 The Chair of the Local Stakeholder Group may reject the request for a Panel Hearing if, in their judgment, the request:

- Is vexatious or abusive; and / or
- Refers only to issues that have already been reasonably determined and with no reasonable basis (such as new information) upon which an appeal hearing could reach a different decision.

7.20 The Chair of the Local Stakeholder Group, or a nominated LSG Associate, will convene a Complaints Panel. This Panel will comprise at least three individuals, none of whom will have been directly involved in previous consideration of the complaint. At least one member of the Panel will be independent of the management and running of the Academy and at least one member of the Panel will be a LSG Associate of the academy concerned. The panel will have the powers to determine the complaint. In the unlikely event that more than one session is required to hear the appeal, the individuals on the Panel will remain the same. The Panel members will elect their Chair.

7.21 Any LSG Associates who were part of the Panel Hearing would not be part of any panel that was subsequently required for a disciplinary hearing regarding a member of staff.

7.22 The Panel Hearing should normally be heard ***within fifteen school days*** of the Chair of the Local Stakeholder Group receiving notice of the complaint progressing to Stage 3, ensuring that the complainant is given reasonable notice and that reasonable endeavors are made to arrange a time and date that the complainant can attend.

7.23 Any documentation from either party should be ***circulated to all parties five school days*** before the hearing.

7.24 The complainant is able to attend the Panel Hearing, and may be accompanied by one other individual at the Panel Hearing (and if the complainant is a child, they may be accompanied by their parent(s) and another person).

7.25 The Panel Hearing will be heard in private, provide an opportunity for the complainant and for relevant Academy Lead (or other staff as appropriate, including the CEO) to present and for all presenters to be questioned by the Panel and the other party (through the Chair).

7.26 The Panel will, once the presenters have left the hearing, give careful consideration to the substance of the complaint, consider all the views expressed, and decide the outcome. The decision will be made by a simple majority of the Panel; a unanimous decision is not required.

7.27 The panel can:

- Dismiss the complaint in whole or in part;
- Uphold the complaint in whole or in part;
- Decide on appropriate action to resolve the complaint; or
- Recommend changes to the academy's systems or procedures.

7.28 The decision of the panel is binding. A copy of the report and the findings will be provided ***within five working days*** of the hearing to the complainant, the CEO, the relevant Academy Lead, the Chair of the Board of Trustees, and, where relevant, to the person complained about. This will be available for inspection.

7.29 If the Complaints Panel makes any recommendations regarding changes to academy processes as a result of the investigation, the CEO will be responsible for reviewing these recommendations and implementing them where appropriate. Acceptance of recommendations will be at the CEO's discretion unless the investigation reveals processes that do not comply with statutory, Funding Agreement, or DfE/ESFA requirements when the CEO will be required to ensure compliance as soon as possible.

8.0 Responsibilities under the policy

8.1 Board of Trustees

The Board of Trustees is responsible for:

- Establishing the Panel Hearing for Stage 3 in appropriate cases; and
- monitoring the level and nature of complaints and reviewing the outcomes and associated lessons to learn annually (and report to the Board of Trustees as appropriate or as required) or earlier if so determined by the Chair.

8.2 CEO

The CEO is responsible for:

- the effective implementation of this policy and procedures;
- where a complaint is escalated to them at Stage 2, identifying who will consider the complaint;
- advising LSG Members and Trustees about the composition of Panels for Stage 3;
- reporting to the Board of Trustees about the number and nature of complaints, as well as actions taken in response and lessons learned; and

- ensuring that the policy and procured is monitored and reviewed, with recommendations for revision to the Board of Trustees as appropriate.

8.3 Local Stakeholder Group

The Local Stakeholder Group is responsible for:

- establishing the Panel Hearing for Stage 3; and
- monitoring the level and nature of complaints and reviewing the outcomes and associated lessons to learn annually (and report to the Board of Trustees as appropriate or as required) or earlier if so determined by the Chair.

8.4 The Chair of the Local Stakeholder Group is responsible for:

- receiving complaints at Stage 3 of the complaints procedure;
- nominating the individuals for the Panel Hearing in Stage 3 and ensuring that it includes one person who is independent from the management and running of the academy; and
- checking that the correct procedure is followed.

8.5 The Chair of the Panel at Stage 3 is responsible for ensuring that:

- the parties understand the procedure;
- the issues are addressed;
- key findings of fact are established;
- complainants are put at ease;
- the hearing is conducted as informally as possible;
- the panel is open-minded and acts independently;
- no member of the panel has a vested interest in the outcome, or has been involved in the issues previously;
- all parties have the chance to be heard;
- any written material is seen by all parties; and
- related Child Protection and Data Protection rules are observed and maintained.

8.6 Academy Lead

The Academy Lead is responsible for:

- the overall internal management of the procedures;
- Identifying who will consider complaints at Stage 2 of the procedure, or escalating the complaint to the CEO where appropriate;
- ensuring that the procedures are monitored and reviewed and reports made to the Local Stakeholder Group and / or Board of Trustees as appropriate.

8.7 Company Secretary for the Trust

To retain, in a confidential manner (except when requested by the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them) the material relating to complaints, including Complaints Forms, all written judgements from stages 1, 2 and 3, and the requests from the complainant to initiate stages 2 and 3, so that they can be made available as appropriate.

8.8 All staff

All staff are responsible for:

- listening to any concerns brought to them by parents/carers and children;
- reassuring them that they will be dealt with as soon as possible by the appropriate member of staff;
- for informing the relevant staff of the concerns being raised: and
- passing any complaints received from other people who are not parents/carers and children to the Academy Lead or CEO

9.0 Complaints about the academy to the Education and Skills Funding Agency (ESFA)

9.1 Individuals are able to complain to the ESFA:

- where there is undue delay or the academy did not comply with its own complaints procedure when considering a complaint;
- where the academy is in breach of its funding agreement with the Secretary of State; and
- where an academy has failed to comply with any other legal obligation (unless there is an organisation better placed to investigate the particular issue).

9.2 The ESFA usually expects complainants to have made their complaint directly to the academy first in accordance with the academy's own policy.

9.3 The ESFA policy can be accessed here:

https://www.gov.uk/government/publications/complain-about-an-academy/complain-about-an-academy

The policy outlines who the complainant should raise their complaint with depending upon the subject of the complaint.

10.0 Vexatious and abusive complaints

10.1 The Trust takes its responsibilities to investigate concerns and complaints seriously and will do so professionally.

10.2 The Trust does not expect staff to tolerate unacceptable behaviour by complainants, which would include behaviour which is abusive, offensive or threatening.

10.3 The Trust defines unreasonably persistent and vexatious complainants as those complainants who, because of the frequency or nature of their contacts with the academy, hinder the ability to investigate their original complaint. The description 'unreasonably persistent' and 'vexatious' may apply separately or jointly to a particular complainant.

10.4 An unreasonably persistent and/or vexatious complaint/complainant may:

- arise from a historic and irreversible decision or incident;
- have insufficient or no grounds for their complaint, or refuse to specify the grounds for their complaint, and appear to be making the complaint only to annoy or for undeclared reasons;
- refuse to co-operate with the complaints investigation process;
- refuse to accept that issues are not within the power of the academy or the Trust to investigate, change or influence;
- make what appear to be groundless complaints about the staff dealing with the complaint(s);

- make an unreasonable number of contacts with the academy or the Trust, by any means, about the complaint;
- make persistent and unreasonable demands or expectations of staff and/or the complaints process;
- harass, abuse, or otherwise seek to harass or intimidate staff dealing with their complaint;
- raise subsidiary or new issues during the investigation;
- introduce trivial or irrelevant new information and expect this to be taken into account;
- change the substance or basis of the complaint without reasonable justification;
- deny statements he or she made at an earlier stage;
- electronically record meetings and conversations without the prior knowledge and consent of the other person involved;
- refuse to accept the outcome of the complaint process after its conclusion and/or denying that an adequate response has been given;
- make the same complaint repeatedly, perhaps with minor differences, and insist that the minor differences make these 'new' complaints which should be put through the full complaints procedure;
- make threats of "winning complaints" in the past indicating an historical pattern of vexatious complaints
- persistently approach the academy or the Trust (and potentially other parties such as the Local Authority) through different routes about the same issue; and
- combine some or all of these features.

10.5 For the purpose of this policy, harassment is the unreasonable pursuit of such actions set out in the preceding paragraph in such a way that they:

- appear to be targeted over a significant period of time on one or more members of academy staff and/or
- cause ongoing distress to individual member(s) of academy staff and/or
- have a significant adverse effect on the whole/parts of the academy community and/or
- are pursued in a manner which can be perceived as intimidating and oppressive by the recipient. This could include situations where persistent demands and criticisms, whilst not particularly taxing or serious when viewed in isolation, have a cumulative effect over time of undermining confidence, well-being and health.

10.6 In the case or persistent or vexatious complaints and/or harassment, the academy will verbally inform the complainant that his/her behaviour is considered to be becoming unreasonable/ unacceptable and, if it is not modified, action may be taken in accordance with this policy. This will be confirmed in writing.

10.7 If the complainant's behaviour is not modified the academy will take some or all of the following actions as necessary, having regard to the nature of the complainant's behaviour and the effect of this on the academy community:

- inform the complainant in writing that his/her behaviour is now considered by the academy to be unreasonable/unacceptable and, therefore, to fall under the terms with Section 10
- inform the complainant that all meetings with a member of staff will be conducted with a second person present and that notes of meetings may be taken in the interests of all parties;
- inform the complainant that, except in emergencies, all routine communication with the complainant to the academy should be by letter only;
- in the case of physical, or verbal aggression in person or in writing, warn the complainant about being banned from the academy site; or proceed straight to a ban;
- consider informing the police who may seek to take further action under anti-harassment / malicious communication legislation;

11.0 Barring from the Academy Premises

11.1 Although fulfilling a public function, academies are private places. The public has no automatic right of entry. Academies will therefore act to ensure they remain a safe place for children, staff and other members of their community.

11.2 If a parent/carer's behaviour is a cause for concern, an academy can ask him/her to leave academy premises. In serious cases, the CEO/Academy Lead or the Board of Trustees/LSG can notify them in writing that their implied licence to be on academy premises has been temporarily revoked subject to any representations that the parent/carer may wish to make. Refer to the Community Behaviour Policy.

11.3 Academies should always give the parent/carer the opportunity to formally express their views on the decision to bar in writing. The decision to bar should then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed the parent should be notified in writing, explaining how long the bar will be in place.

11.4 Anyone wishing to complain about being barred can do so, by letter or email, to the CEO/Academy Lead or Chair of LSG/Trustees. However, complaints about barring cannot be escalated to the Department for Education. Once the academy's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

12.0 Complaint campaigns

12.1 Where the academy receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the academy, the academy may respond to these complaints by:

- Publishing a single response on their website
- Sending a template response to all of the complainants

12.2 If complainants are not satisfied with the academy's response, or wish to pursue the complaint further, the normal procedures will apply.

13.0 Record-keeping

13.1 The academy will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

13.2 This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel.

13.3 This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of GDPR, or where the material must be made available during a school inspection.

13.4 Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and records management policy/record retention schedule.

13.5 The details of the complaint, including the names of individuals involved, will not be shared with the whole LSG or Board of Trustees in case a review panel needs to be organised at a later point. Where the respective board is aware of the substance of the complaint before the review panel stage, the academy will (where reasonably practicable) arrange for an independent panel to hear the complaint.

13.6 Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the board, who will not unreasonably withhold consent.

14.0 Learning lessons

14.1 The respective Boards will review any underlying issues raised by complaints with the Leadership or relevant person where appropriate, and respecting confidentiality, to determine whether there are any improvements that the academy can make to its procedures or practice to help prevent similar events in the future.

15.0 Monitoring arrangements

15.1 Each Board will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The Board will track the number and nature of complaints, and review underlying issues as stated in section 8.

15.2 The complaints records are logged and managed by the CEO and Academy Lead and the Company Secretary.

15.3 This policy will be reviewed by the CEO every year.

15.4 At each review, the policy will be approved by the Board of Trustees.

16.0 Appendices

Appendix One: Complaint Form

Appendix Two: Flow charts

Appendix Three: Interviewing Best Practice

The Pegasus Partnership Trust: Complaint form

Please complete and return to the Academy Lead or CEO who will acknowledgereceipt and explain what action will be taken.

Your Name:	
Child's Name:	
Your relationship to the child:	
Address:	
Daytime phone number:	
Evening phone number:	
Mobile phone number:	
Please give details of your complaint:	
What action, if any, have you already taken to try and resolve the complaint? Who did you speak to and what was the response?	
What actions do you feel might resolve the problem at this stage?	
Are you attaching any paperwork? If so, please give details:	
Signature	
Date	

Academy use only	
Date acknowledgement sent:	
Who sent acknowledgement:	
Signature	
Please complete the following, acknowledge the stages of the complaints procedure that have been followed and make any comments as necessary	
Stage 1 (complaint heard by staff)	OUTCOME: Date: Signature:
Stage 2 (complaint heard by senior member of staff)	OUTCOME: Date: Signature:
Stage 3 (Panel Hearing)	OUTCOME: Date: Signature:

All functions of the complaint's procedure must adhere to the requirements of the GDPR legislation.

Please complete and return this form to the academy office in a sealed envelope addressed to the Academy Lead, CEO, Chair of LSG or Clerk to LSG (as appropriate) or email the Academy Lead, the CEO at ceo@theppt.co.uk or email governance@theppt.co.uk

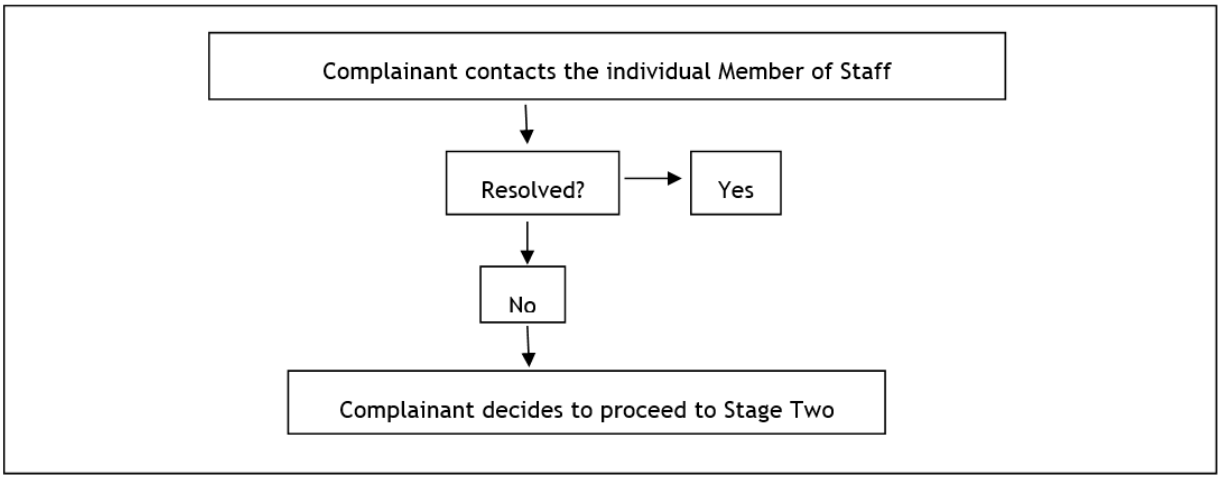
THE PEGASUS PARTNERSHIP TRUST

"Children First"

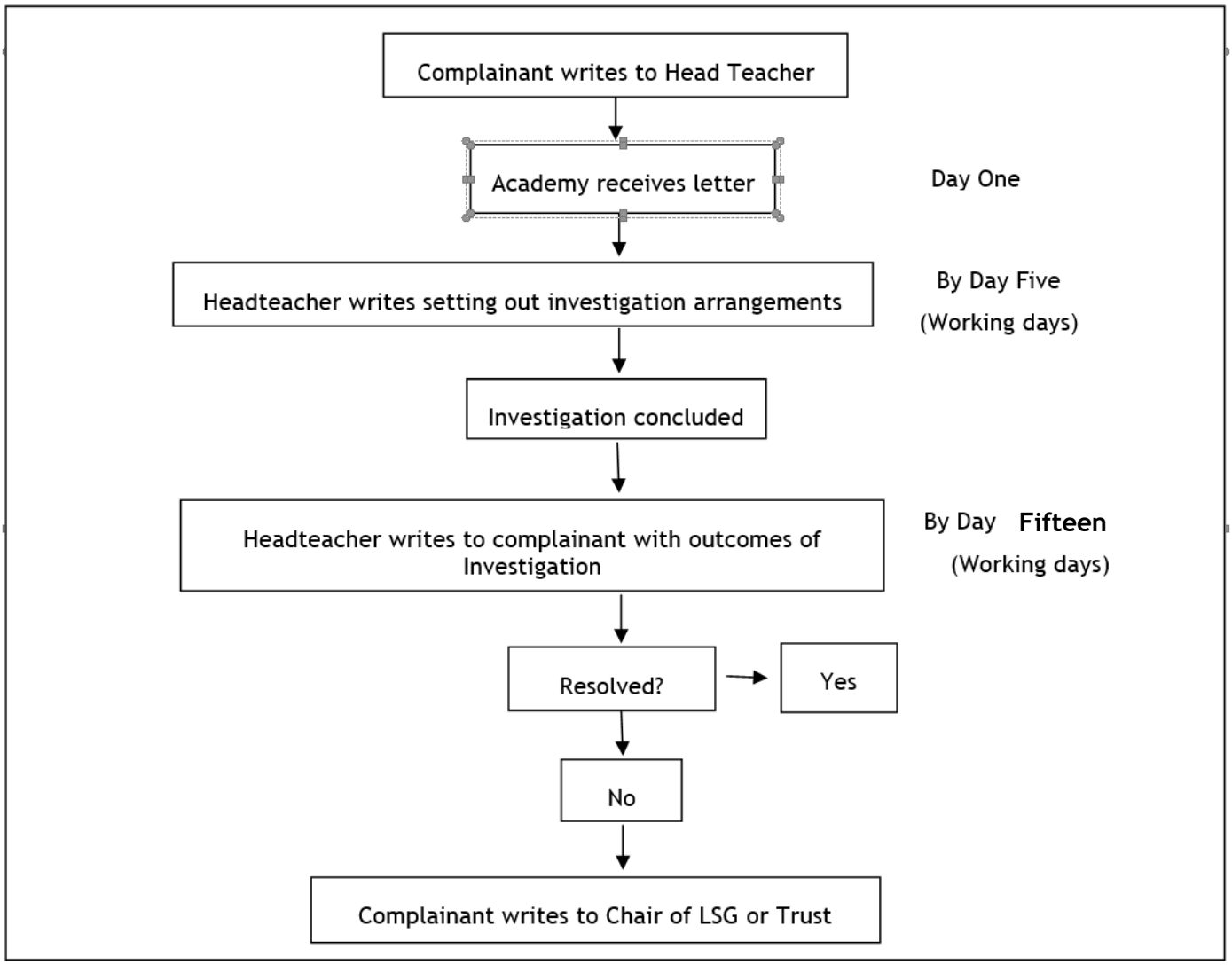
Appendix 2 Academy Complaints Procedure- Flowchart

Stage One Informal Stage:

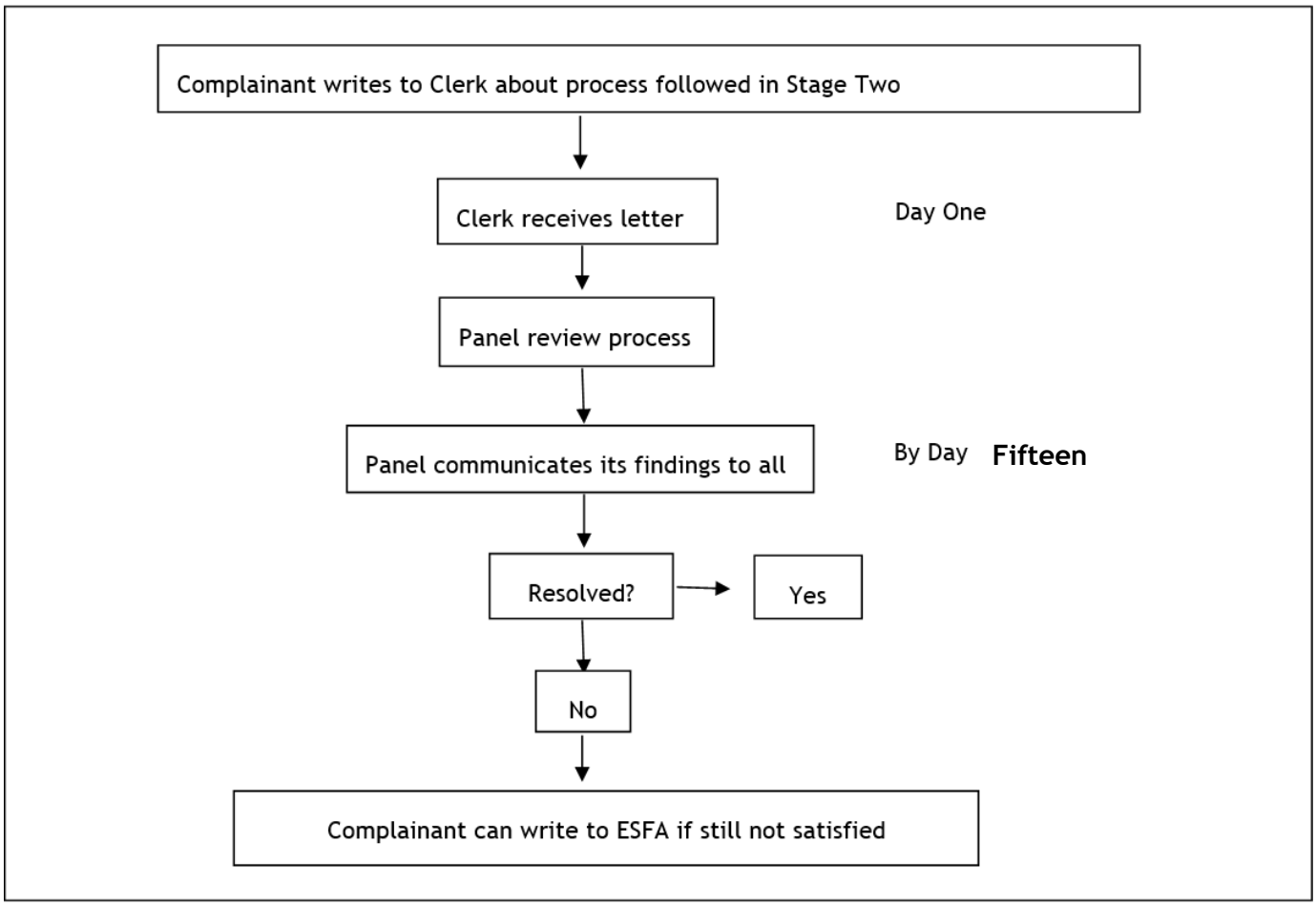
Complaint made within 5 working days



Stage Two Formal Stage:



Stage Three Review
Panel Stage



Note:- If the complaint is about the actions of the Academy Lead then the CEO carries out the Headteacher's role as indicated above.

Note:- If the complaint is about the actions of the CEO then the Chair of the Trust carries out the Headteacher's role as indicated above.

Appendix 3 Best Practice

Interviewing Best Practice Tips

Children/young people

- Children/young people should be interviewed in the presence of another member of staff, or in the case of serious complaints (e.g. where the possibility of criminal investigation exists) in the presence of their parents/carers. However, it might not always be possible to conduct an interview in case it prejudices a LADO or police investigation.

- Care should be taken in these circumstances not to create an intimidating atmosphere.

- Children/young people should be told what the interview is about and that they can have someone with them.

Staff/Witnesses

- Explain the complaint and your role clearly to the interviewee and confirm that they understand the complaints procedure and their role in it.

- Staff are allowed a colleague to support them at their interview. The colleague must not be anyone likely to be interviewed themselves, including their line manager.

- Use open, not leading questions.

- Do not express opinions in words or attitude.

- Ask single not multiple questions, i.e. one question at a time.

- Try to separate 'hearsay' evidence from fact by asking interviewees how they know a particular fact.

- Persist with questions if necessary. Do not be afraid to ask the same question twice. Make notes of each answer given.

- Deal with conflicting evidence by seeking corroborative evidence. If this is not available, discuss with the Academy Lead/CEO/ Chair of LSG/Trustees the option of a meeting between the conflicting witnesses.

- Make a formal record of the interview from the written notes as soon as possible while the memory is fresh. Show the interviewee the formal record, ask if s/he has anything to add, and to sign the record as accurate.