



SIKH ACADEMIES TRUST  
Faith Inspired Education

# COMPLAINTS POLICY

Reviewed by	All Subcommittees
Approved by	Trustee Board
Adopted	Summer 2021
Review Date	Annually

## **Aims**

Sikh Academies Trust (SAT) are committed to providing a caring, friendly and safe environment for all pupils so they can learn in a relaxed and secure atmosphere, based on the Sikh ethos. In order to enhance the Trust's mission, we give due consideration to complaints. We also aim to deal with all complaints fully, fairly, carefully and in confidence. To resolve complaints or to issue a clear decision which will be satisfactory to the complainant, the Headteacher or the Trustee Board will consider how, if at all, the matter should be taken further.

## **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 SAT 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.

## **The difference between a concern and a complaint**

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

A complaint may be defined as *'an expression of dissatisfaction however made, about actions taken or a 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. SAT takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Head of School, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Head of School will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, SAT will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

## **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 on a complainant, as long as they have appropriate consent to do so.

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

Complaints that involve or are about the head of school should be addressed to Mr Jujar Singh (the Chair of Trustees), by email to [info@sikhacademiustrust.com](mailto:info@sikhacademiustrust.com). Please mark them as Private and Confidential.

Complaints about the Chair of Trustees, any individual Trustee or the whole Trustee Board/Local Advisory Board should be addressed to the Secretary to the Trustee Board via email [info@sikhacademiustrust.com](mailto:info@sikhacademiustrust.com). Please mark them as Private and Confidential.

Complaints about the Executive Principal or a trustee of SAT, should be addressed to Mr Jujar Singh, Chair of Trustees, via the Trust [info@sikhacademiustrust.com](mailto:info@sikhacademiustrust.com). 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.

### **Anonymous complaints**

We will not normally investigate anonymous complaints. However, the head of school or Chair of Trustees, if appropriate, will determine whether the complaint warrants an investigation.

### **Vexatious or Repeated Complaints**

There may be occasions when, despite a complaint being considered under all stages in this Complaints Policy, the Complainant persists in making the same complaint to the School.

There may also be occasions when a Complainant raises unreasonable persistent complaints or raises complaints about matters which do not affect them. There may also be occasions when a complaint is made about a matter which is clearly so trivial that it would be a waste of the School's resources to deal with it under the formal stages of the procedure.

In all these cases, the School reserves the right to regard the complaint as vexatious and/or repeated and to refuse to investigate it under the procedure in this Complaints Policy, if it appears reasonable and fair to do so, having regard to the circumstances surrounding the complaint.

Where the School decides that a complaint is vexatious and/or repeated and will not be investigated, the School will write to the Complainant within five school days of the complaint being raised to notify them of the decision.

If the Complainant is unhappy with the decision not to investigate a vexatious and/or repeated complaint, they may write to the Chair of Trustees to ask for the decision to be reviewed. The procedure for this will be as outlined in 'Late Complaints'.

### **Confidentiality**

All correspondence, statements and records relating to individual complaints will be kept confidential except where access is requested by the Secretary of State, a school inspector or under another legal authority.

### **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 consider complaints made outside of this time frame if exceptional circumstances apply.

For the majority of complaints, we will follow the timescales in this policy. However, in complex cases more time may be needed to conduct a full and fair investigation or convene a panel of trustees. In this instance, extended timescales will be confirmed at the earliest possible opportunity.

### **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.

### **Scope of this complaints procedure**

This procedure covers all complaints about any provision of community facilities or services by SAT, other than complaints that are dealt with under other statutory procedures, including those listed below.

<b>Exceptions</b>	<b>Who to contact</b>
<ul style="list-style-type: none"> <li>• Admissions to schools</li> </ul>	<p>Concerns about admissions should be handled through a separate process – either through the appeals process or via the Local Authority.</p>
<ul style="list-style-type: none"> <li>• Matters likely to require a Child Protection Investigation</li> </ul>	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact</p>

	<p>the local authority designated officer (LADO) who has local responsibility for safeguarding.</p> <p style="text-align: center;"><b>Local Authority Designated Officer</b>  Tel: 01753 690904  Mobile: 07927 681858  Email: <a href="mailto:lado@scstrust.co.uk">lado@scstrust.co.uk</a></p>
<ul style="list-style-type: none"> <li>Exclusion of children from school*</li> </ul>	<p>Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a>.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i></p>
<ul style="list-style-type: none"> <li>Whistleblowing</li> </ul>	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The whistleblowing policy is available on our website.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> <li>Staff conduct</li> </ul>	<p>Complaints about staff will be dealt with by the Head of School</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 SAT in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

### **Resolving complaints**

At each stage in the procedure, SAT 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.

### **Complaints about the Head of School or Local Advisory Board**

Where a complaint regards a Head of School or Local Advisory Board this should first be raised directly with the Executive Principal to try and resolve the issue informally. If the complainant is not satisfied with this outcome they should submit a complaint to [info@sikhacademistrust.com](mailto:info@sikhacademistrust.com). The Executive Principal will then begin the complaints process at stage 1. Where a complaint regards a Local Advisory Board, a complaint should be submitted to [info@sikhacademistrust.com](mailto:info@sikhacademistrust.com). The complaints committee will then begin the complaints process at stage 1.

### **Complaints about the Senior Leadership Team**

Where a complaint regards the Senior Leadership Team this should first be raised directly with the Senior Leadership Team to try and resolve the issue informally. If the complainant is not satisfied with this outcome they should notify the Executive Principal who will then begin the complaints process at stage 1

### **Complaints about the Executive Principal or the Trustees**

Where a complaint regards the Executive Principal this should first be raised directly with the Executive Principal to try and resolve the issue informally. If the complainant is not satisfied with this outcome they should notify the complaints committee. The

complaints process will then begin at stage 1 with the Chair of Trustees as the individual responsible for the investigation. Where a complaint regards a Trustee this should be raised with the complaints committee. Informal resolution will be sought but where this fails the complaints process will begin at stage 1 with a Trustee (who is unrelated to the complaint) responsible for the investigation.

### **Stages of a complaint raising concerns**

All complaints will be handled in the order and procedure outlined below, from Stage 1 to Stage 3 consecutively. The first point of contact for making a complaint is the school's main email address (available on the school's website) or the Trustee Board [info@sikhacademiustrust.com](mailto:info@sikhacademiustrust.com) who can forward your complaint onto the relevant party

#### **Stage 1 – Informal complaints**

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

Concerns should be raised to (referral structure (in order))

- Class Teacher
- Phase Leader
- Assistant Head
- Deputy Head
- Head of School

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

At the conclusion of their investigation, the appropriate person investigating the complaint will provide an informal written response within 5 school days of the date of receipt of the complaint.

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

#### **Stage 2 – Formal complaints**

Formal complaints must be made to the head of school (unless they are about the head of school), via the school office. This may be done in person or in writing (preferably on the Complaint Form).

The head of school will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

Within this response, the head of school will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The

head of school can consider whether a face to face meeting is the most appropriate way of doing this.

*Note: The head of school may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.*

During the investigation, the head of school (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the head of school will provide a formal written response within 10 school days of the date of receipt of the complaint.

If the head of school is unable to meet this deadline, they will provide the complainant with an update and revised response date.

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 SAT will take to resolve the complaint.

The head of school will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

If the complaint is about the head of school, or a member of the Trustee Board (including the Chair or Vice-Chair), a suitably skilled Trustee will be appointed to complete all the actions at Stage 2.

Complaints about the Head of School or member of the Trustee Board must be made to the Trust Secretary, via email [info@sikhacademiestrust.com](mailto:info@sikhacademiestrust.com).

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire Trustee Board or
- the majority of the Trustee Board

Stage 2 will be escalated to the Executive Principal of the Trust.

### **Stage 3 – Panel Hearing**

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.

Where the complaint is regarding an individual SAT school the Complaint Review Panel will be made up of two members from the school's Local Advisory Board (LAB) and one person who is independent of the management and running of the school.

Where the complaint is regarding SAT as a Trust, the Complaint Review Panel will be made up of two SAT Trustees and one person independent of the Trust.

This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the Trust Secretary, via email [info@sikhacademiustrust.com](mailto:info@sikhacademiustrust.com) , within 20 school days of receipt of the Stage 2 response.

The Trust Secretary will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Trust Secretary will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 30 school days of receipt of the Stage 2 request. If this is not possible, the Trust Secretary will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Trust Secretary 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.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire Trustee Board or
- the majority of the Trustee Board

Stage 3 will be heard by the trustees and an independent panel member.

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the complaints committee meeting. However, there may be occasions when legal representation is appropriate.

For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

*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 school days before the meeting, the Trust Secretary 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 complaints committee at least 10 school days before the meeting.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The complaints committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The complaints committee 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 complaints committee will consider the complaint and all the evidence presented. The complaints committee 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 complaints committee 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 complaints committee will provide the complainant and SAT with a full explanation of their decision and the reason(s) for it, in writing, within 5 school days.

The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled by SAT.

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 SAT 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 head of school.

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.

### **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 ESFA after they have completed Stage 3.

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by SAT. They will consider whether Khalsa Primary 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 ESFA online at: [www.education.gov.uk/contactus](http://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

## Complaint Form

Please complete and return to the Head of School who will acknowledge receipt and explain what action will be taken.

<b>Your name:</b>
<b>Pupil's name (if relevant):</b>
<b>Your relationship to the pupil (if relevant):</b>
<b>Address:</b> <b>Postcode:</b> <b>Day time telephone number:</b> <b>Evening telephone number:</b> <b>Email address:</b>
<b>Please give details of your complaint, including whether you have spoken to anybody at the school about it.</b>

**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:**

## **Roles and Responsibilities**

### **Complainant**

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

- explain the complaint in full as early as possible
- co-operate 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.

### **Investigator**

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 should:

- 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 head of school or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The head of school or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

## **Complaints Co-ordinator**

### **The complaints co-ordinator should:**

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, head of school, Executive Principal, Chair of Trustees, Chair of Trust or the Trust Secretary 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.

## **Trust Secretary to the Trustee Board**

The Trust Secretary is the contact point for the complainant and the complaints committee and should:

- 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
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the complaints committee's decision.

## **Complaints Committee Chair**

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

- both parties are asked (via the Trust Secretary) 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 complaints committee 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 complaints committee is open-minded and acts independently

**no member of the complaints committee 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 the Trust Secretary (and complaints co-ordinator, if the school has one).

### **Complaints Committee Member**

Complaints Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so. No trustee may sit on the complaints committee 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 complaints committee 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 complaints committee 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 complaints committee 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 complaints committee considers is not in the child/young person's best interests.

- the welfare of the child/young person is paramount.