

Complaints Policy

Publication Date	02/06/2024
Version Number	1.1
Policy Owner	CEO
Approval Level (committee)	FR&S Trust Board
Applies To (job roles relevant to)	ALL
Next Review Due	June 2025
Equality Impact Assessment	

Policy Purpose:

- To assist the resolution of issues effectively
- Ensure the Trust has a consistent approach when handling complaints
- Demonstrate a high level of professionalism when dealing with complaints
- Monitor the quality of service of the trusts delivery of 16-19 education and identify areas of concern
- Identify serious concerns such as abuse or safeguarding issues
- Highlight key areas where the trusts provision and delivery of education needs improvement
- Provide valuable insights into staff training to improve the delivery of the trust's education provision.
- Allow a complaint to be made, recorded and dealt with effectively
- Inform stakeholders how a complaint can be made and help them understand the procedure

Who can make a complaint?

This complaints procedure is open for all persons who wish to make a complaint to the trust (including our education settings directly). It is not limited to students, parents or carers of students that are registered at either of the colleges run by the Trust. Any person, including members of the public, may make a complaint to the Lighthouse Learning Trust 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. Lighthouse Learning Trust 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 position. In these cases, the Executive Principal of our colleges, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Executive Principal 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, the Lighthouse Learning Trust 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 college staff (except the Executive Principal) should be made in the first instance, to our Executive Principal of our colleges via the college office. Please mark them as Private and Confidential.

Complaints that involve or are about the Executive Principal should be addressed to The Chair of Trust Board, via the College office. Please mark them as Private and Confidential.

Complaints about the Governing Body or any member there in should be made through the Governance manager via the college office. Please mark them as Private and Confidential.

Complaints about the Chief Executive Officer (CEO) should be addressed to The Chair of Trust Board via the college 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 college 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 Executive Principal or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred and within three months of the last of these incidents. We will 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 college day after the holiday period.

Scope of this complaints procedure

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

Exceptions	Who to contact
<ul style="list-style-type: none">Admissions to College	Concerns about admissions will be handled through a separate process – through the appeals process.

<ul style="list-style-type: none"> Matters likely to require a Child Protection Investigation 	<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 the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH).</p> <p>LADO Phone number: 01962 876364 MASH Phone number: 0300 555 1384</p>
<ul style="list-style-type: none"> Whistleblowing 	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p>
<ul style="list-style-type: none"> Staff grievances 	<p>Complaints from staff will be dealt with under the college's internal grievance procedures.</p>
<ul style="list-style-type: none"> Staff conduct 	<p>Complaints about staff will be dealt with under the colleges' internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>

If a complainant commences legal action against [Lighthouse Learning Trust](#) in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

Resolving Complaints Procedure

At each stage in the procedure, [Lighthouse Learning Trust](#) 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 college 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.

Stage 1 – Informal complaints

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

In the first instance concerns should be raised with the person closest to the source of the issue, either the class teacher, relevant manager, or Executive Principal. That person will seek to resolve matters with you in accordance with the principles of this policy.

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

At the conclusion of their investigation, the appropriate person investigating the complaint will provide an informal written response within 15 working 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 Executive Principal (unless they are about the Executive Principal and as explained), via the college office. This may be done in person or in writing (preferably on the Complaint Form).

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

Within this response, the Executive Principal will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Executive Principal can consider whether a face-to-face meeting is the most appropriate way of doing this.

Note: The Executive Principal may delegate the investigation to another member of the college's senior leadership team but not the decision to be taken.

During the investigation, the Executive Principal (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 Executive Principal will provide a formal written response within 15 working days of the date of receipt of the complaint.

If the Executive Principal 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 [The Lighthouse Learning Trust](#) will take to resolve the complaint.

The Executive Principal 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 Executive Principal, a Trustee or a member of the Governing Body. A suitably skilled Governor/Trustee will be appointed to complete all the actions at Stage 2.

Complaints about the Executive Principal or member of the governing body must be made to the Governance manager, via the college office.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

Stage 2 will be escalated to the CEO of the Trust.

If the complaint is about the CEO. A suitably skilled Governor/Trustee will be appointed to complete all the actions at Stage 2.

Stage 3 – Panel Hearing by the Trust Board

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 three people who were not directly involved in the matters detailed in the complaint with one panel member who is independent of the management and running of the college. This is the final stage of the complaints' procedure.

A request to escalate to Stage 3 must be made to the Governance manager, via the college office, within 10 working days of receipt of the Stage 2 response.

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

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

The Governance manager will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 15 working days of receipt of the Stage 2 request. If this is not possible, the Governance manager will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Governance manager 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 Governing body or
- the majority of the Governing body

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 committee meeting. However, there may be occasions when legal representation is appropriate.

For instance, if a Trust 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 working days before the meeting, the Governance manager 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 committee 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 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 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 committee will consider the complaint and all the evidence presented. The 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 committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the Trusts systems or procedures to prevent similar issues in the future.
-

The Chair of the Committee will provide the complainant and Lighthouse Learning Trust with a full explanation of their decision and the reason(s) for it, in writing, within 5 working 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 The Lighthouse Learning Trust.

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 Lighthouse Learning 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.

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.

Complaints escalated to / about the Trust, CEO or Trustee

If a complaint is escalated to Lighthouse Learning Trust "the trust" or if a complainant wishes to complain directly about the trust, then the complaint should be sent to the CEO to be investigated.

The CEO will write to the complainant acknowledging the complaint within 5 **working days** of the date that the written request was received. The acknowledgement will confirm that the complaint will now be investigated under Stage 2 of this Complaints Policy and will confirm the date for providing a response to the complainant.

Following the investigation, the CEO will write to the complainant confirming the outcome within 15 **working days** of the date that the letter was received. If this time limit cannot be met, the CEO will write to the Complainant within 10 **working days** of the date that the letter was received, explaining the reason for the delay and providing a revised date.

If the complaint concerns the CEO or a Trustee, the complaint should be investigated by the Chair of the Trust Board. If a formal complaint form is received about the Chair, the complaint will be referred to the Vice Chair for investigation

NB. Where the Chair of the Trust Board has investigated the complaint, they will write the letter of outcome to the Complainant and provide a copy to the CEO.

If the complainant is not satisfied with the outcome of the previous stage, the complainant should write to the Governance Manager the complaint to be heard before a Complaint Panel, within 15 working days.

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

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

The Governance Manager will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 15 working days of receipt of the Stage 2 request. If this is not possible, the Governance Manager will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Governance Manager 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 Trust Board or
- the majority of the Trust Board

Stage 3 will be heard by a completely independent committee panel.

The Complaint Panel will consist of three members. None of the three members of the Complaint Panel will have been involved in the incidents or events which led to the

complaint or have been involved in dealing with the complaint in the previous stages, of have any detailed prior knowledge of the complaint.

One of the Complaint Panel members will be independent of the management and running of the Academy Trust. This means that the independent Complaint Panel member will not be a Trustee or an employee of the Trust.

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 committee meeting. However, there may be occasions when legal representation is appropriate.

For instance, if a trust 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 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 Governance Manager 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 committee 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 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 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 committee will consider the complaint and all the evidence presented. The 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 committee will:

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

The Chair of the Committee will provide the complainant and Lighthouse Learning Trust with a full explanation of their decision and the reason(s) for it, in writing, within 5 working 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 the Lighthouse Learning Trust.

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 Lighthouse Learning 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.

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 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 Lighthouse Learning Trust. They will consider whether Lighthouse Learning Trust 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, 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 Lorraine Walker. Trust Exec Assistant and Admin manager, who will acknowledge receipt and pass to the appropriate person.

Your name:
Students' name (if relevant):
Your relationship to the Students (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 college 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 whom:

Complaint referred to:

Action taken:
Date:

Write the body of the policy, not including procedures or documentation

Links to other policies:

Document History

Version	Purpose/Change	Author	Date
1.1	New document	TGO	June 24