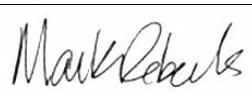
PENK VALLEY ACADEMY TRUST

Complaints Policy and Procedures

Penk Valley Academy Trust

Adopted by Trustees:	
Signed:	
Date:	Spring 2026
This policy is reviewed annually by the Trust Board	
Next Review date:	**Spring 2027**

COLLABORATION CHALLENGE CURIOSITY CARE

POLICY INFORMATION

Date of last review:	Spring 2026	**Review period:**	Annually
Date ratified by Trustees:	Spring 2026	**Trustee committee responsible:**	Trust Board
Policy owner:	Chief Executive Officer	**Executive team member responsible:**	Chief Executive Officer

Reviews/revisions

Review date	Changes made	By whom
Spring 2025 Spring 2026	Full review of complaints procedure No changes	COO / HT, CEO, COG, Trustees LMC

Equality and GDPR

All Penk Valley Academy Trust policies should be read in conjunction with our Equal Opportunities and GDPR policies.

Statement of principle – Equality

We will take all possible steps to ensure that this policy does not discriminate, either directly or indirectly against any individual or group of individuals. When compiling, monitoring and reviewing the policy we will consider the likely impact on the promotion of all aspects of equality as described in the Equality Act 2010.

Statement of principle – GDPR

Penk Valley Academy Trust recognises the serious issues that can occur as a consequence in failing to protect an individual adult's or child's personal and sensitive data. These include emotional distress, physical safety, child protection, loss of assets, fraud and other criminal acts.

Penk Valley Academy Trust is therefore committed to the protection of all personal and sensitive data for which it holds responsibility as the Data Controller and the handling of such data in line with the data protection principles and the Data Protection Act (DPA)/GDPR.

Penk Valley Academy Trust will be referred to as **PVAT** for the remainder of the document which includes all schools who are members of PVAT, business operations and centralised services.

COMPLAINTS POLICY AND PROCEDURE

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Aims

This Complaints Policy is based on the principle that concerns expressed by a pupil, parent or any other individual or organisation should be resolved as quickly as possible without the need to escalate to the formal stages of the procedure. However, where resolution has not been achieved and the person raising the concern is unhappy and wishes to take the matter further, the formal procedure for dealing with complaints will be followed.

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 Penk Valley Academy 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 complaint's procedure. Penk Valley Academy 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 views. In these cases, we will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, we 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, Penk Valley Academy Trust will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

Scope of this complaints procedure

This procedure covers all complaints about any services provided by Penk Valley Academy Trust. If your complaint is about a school within the Trust please refer to the school complaints procedure first. Below is the list of statutory procedures which are not covered by this policy. .

Exceptions	Who to contact
• Admissions to schools	Concerns about admissions should be handled through a separate process – either through the appeals process see penkvalley.co.uk or via the local authority. https://www.staffordshire.gov.uk/Education/Admissionappeals/Admission-Appeals-Info.aspx
• Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding. https://www.staffordshire.gov.uk/Care-for-children-and-families/Childprotection/Child-Protection-Home.aspx Or the Multi-Agency Safeguarding Hub (MASH). https://www.staffsscp.org.uk/
• Statutory assessments of Special Educational Needs (SEN)	Staffordshire county council provide the statutory assessments of special education needs. https://www.staffordshire.gov.uk/Education/SpecialEducationalNeeds/Staffordshires-Special-Educational-Needs-and-Disabilities-Strategy.aspx
• Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions. **complaints about the application of the behaviour policy can be made through the individual school's complaints procedure.* The school will have issued a letter regarding your child's suspension/exclusion that will also highlight sources of advice and information
• Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus. 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.
• Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
• Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. 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.
• Third party using school premises	All third party complaints are handled by the third party provider where this is not a normal function of the school day and afterschool clubs, ie weekend football, evening dancing provided by a company
• Data protection and privacy complaints	Complaints specifically concerning the Trust's processing of personal data or an individual's rights under data protection legislation are dealt with separately under Section 21 (Data Protection Complaints) of the Trust's Data Protection Policy.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the CEO or Chair of Trustees , 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, within three months of the last of these incidents. We will consider complaints made outside of this time frame only if there are exceptional circumstances.

Complaints and concerns received outside of term time

We will consider complaints and concerns made outside of term time to have been received on the first school day after the holiday period.

External bodies

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 Penk Valley Academy Trust in relation to their complaint, we will suspend the complaints procedure until those legal proceedings have concluded.

Complaints aired on social media will not be investigated until a formal complaint has been received via the approved channels. Be aware that social media and associated responses may cause damage or render the complaint invalid as we have not had the opportunity to resolve the issue first.

Resolving complaints

At each stage in the procedure, Penk Valley Academy Trust will seek 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.

Equality

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.

Concerns

How to raise a concern

A concern can be made in person, in writing or by telephone.

What will happen

Senior staff / office will be made aware and the concern will looked into locally by a member of staff.

What sort of outcome could I expect.

Concern has been looked into and reassurances can be made or
Concern has been looked into but reassurances cannot be made. Further actions may be put in place to address or correct concern.

What correspondence could I expect.

Reassurances or actioned matters to enable reassurance may be conveyed verbally or written. Once issued there will be no further follow up.

Complaints regarding the Trust

(i.e. **not** regarding a school or school decision)

How to raise a complaint

A complaint must be in writing or by email. To

Penk Valley Academy Trust,
C/O Wolgarston High school,
Cannock Road.
Penkridge
ST195RX
Or

enquiries@penkvalley.co.uk

What will happen

- Complaint against the Trust, Chair of LGC or a Headteacher at a school (but not the CEO)
- Complaint against the CEO or trustees
- Complaint against the Chair of trustees

Complaint against the Trust but not the CEO

Complaints should be marked confidential for the attention of the CEO, preferably by using the completed complaint Form.

For a complaint relating to the Trust the complaint will be responded to by the CEO or executive team in the absence of the CEO and where suitable, via the enquiries email.

Confirmation of receipt of this complaint will be within **10** school days. Within this response, we will seek to clarify the nature of the complaint and what outcome the complainant would like to see. If not already provided, the complainant will be asked to complete the complaint form (at the end of this document) to aid the process.

The CEO or executive team in the CEO's absence where appropriate will designate a member of the Trust to investigate the complaint within **20** school days of the confirmed receipt.

This investigation may conclude that a complaints panel will be formed to consider the complaint. This panel would consist of 3 Trustees.

Notification of the outcome or the notice that a panel will be convened will be issued within **5** school days of the completed investigation

Should a panel be required to be convened this should take place within **30** school days of the completed investigation.

The complainant may be asked to attend the panel hearing Three dates will be proposed. If this is not possible, the Trust 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 will decide when to hold the meeting. If the complainant is unable to attend, then the meeting will proceed in their absence on the basis of written submissions from both parties.

The complainant will be asked at this point to provide any further written material within **10** school days of the panel notification. Any material submitted outside this time frame will not be considered.

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

The panel will hear the evidence and then move to decide an outcome.

Complaint against the CEO or Trustees

Complaints should be marked confidential for the attention of the Chair of the Trust Board, preferably with the completed complaint Form.

Receipt of this complaint will be within **10** school days. Note, If the complaint is raised at, or near the end of term it may not be looked into until the new term.

The Chair or Vice Chair where appropriate will investigate the complaint within **20** school days of the confirmed receipt. The Chair of the Trust Board will investigate and present the findings to the Trust Board through extraordinary meeting where the decision will be ratified. this will take place within 30 school days of the complaint.

Complaint against the Chair of Trustees

Complaints should be marked confidential for the attention of the Trust Members, preferably with the completed complaint Form. Note Trust Members are only involved with complaints against the Chair of Trustees.

Confirmation of receipt of this complaint will be within **10** school days. Note, If the complaint is raised at, or near the end of term it may not be looked into until the new term.

The Members will work with representatives from the Trust to resolve the issue. The time frames for this will be communicated directly and dependant on complexity.

Outcomes.

The complaint is upheld

Redress should be appropriate to the complaint and may include but not limited to:

- An appropriate expression of regret
- Providing the solution desired by the complainant
- Changing the procedures to avoid future problems
- Assurance that the remedy is carried out and by who and when.
- Ensure the approach to remedies is reasonable and consistent

WHERE A COMPLAINT IS NOT UPHELD, the complainant will be given a response and informed of any further action that might be appropriate.

Escalation of a Trust complaint.

If you are unhappy with the outcome of a complaint investigated by the CEO or exec team that was not already escalated to Trustees, you can ask for it to be reviewed by the Chair of Trustees and the wider Trust Board. They will not normally change the outcome or decision but will reopen the investigation if the process was found to have not been followed accurately and correctly.

The decision of the investigation or Trust Board or Member will be binding. If the complaint is a curricular one and the complainant is dissatisfied with the outcome, she or he may refer the matter to the DfE on the grounds that the Trust Board has behaved unreasonably.

To escalate a complaint regarding the outcome into an investigation by the CEO or exec team that has not already been heard by trustees please email enquiries@penkvalley.co.uk within 5 school days of the outcome

You will receive acknowledgment within **10** school days
The Chair of Trustees will review and present to the Trust Board through either the next available committee meeting as a confidential item or through an extra ordinary meeting within **30 school** days whichever is closer. Upon completion of the review the complainant will be notified within **10** school days

Once a Trust Board Complaints Panel has heard a complaint, and it is clear that correct procedures have been followed, that specific complaint cannot be reopened. If a request is received in this respect, the Chair of Trustees should inform the complainant that the matter is closed.

If procedures have not been followed the Chair can.

- Direct the CEO to undertake the investigation once again
- Bring in external consultants to undertake the investigation on behalf of the Trustees.

Should an investigation into a complaint lead to disciplining a member of staff the outcome will only include confirmation that the staff member will be in receipt of disciplinary procedures. The nature and outcome of those procedures will not be disclosed unless there are exceptional circumstances.

Escalation of a school complaint.

If the complainant believes that at stage 2 of the school complaints procedure the school Governors have failed to consider their complaint properly and reasonably at a school level, then this matter can be considered by the Trust.

It is not a general right of appeal for any complainant who disagrees with the Governors' decisions. If the Governors have followed a proper procedure and considered the complaint reasonably, the Trust cannot reverse their decision.

If a complainant remains unsatisfied they should put in writing:

- Details of the complaint to the school at stage 1 of the school complaint procedure
- Details of the complaint brought to governors at stage 2 of the school complaint procedure
- The response the Governors have given and why you disagree or remain unsatisfied
- Why the complainant believes the Governors have not followed a proper procedure in considering the complaint
- Why the complainant believes the Governors consideration of the complaint is unreasonable

The letter should be sent to the Chief Executive Officer, Enquiries@penkvalley.co.uk

This should be received within **5** school days of the school/LGC decision, requests outside of this time frame will only be considered in exceptional circumstances.

The CEO (or another member of the executive team on behalf of) will acknowledge receipt of the complaint in writing within **10** school days from receipt.

The Trust will then first seek to assure themselves that all possible avenues of resolution at Stages 1 and 2 of the school complaints procedure have been explored and that Stages 1 and 2 have been properly followed. This may involve meetings or telephone conversations with the complainant or with the school staff, and records of these conversations will be kept. This can and may take up to **20** school days depending on the complexity of the case and availability of people involved. If an extension to this is required, notification will be sent before the 20th day.

If the Trust is satisfied that the process has been followed correctly and both stages complete, then the CEO will contact the complainant to explain this, and the matter will close. If the complainant tries to re-open the same issue, this will be classed as a persistent or serial complaint.

However, if the Trust is satisfied that the procedures have not been properly followed, a Trust Complaints Panel will be convened to address the matter.

The Trust Complaints Panel will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

If the complainant is invited to attend the meeting, they may bring a friend or family member to provide support, this will be reviewed on a case-by-case basis. However, legal representatives or representatives from the media are not permitted to attend.

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

The panel will also not review any new evidence or complaints at this stage. Any evidence unrelated to the initial complaint will be deemed a new complaint and must be dealt with from Stage 1 of the school procedure.

The panel meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The panel will consist of three members, including one who is independent of the management and running of the Trust and none of whom would have had any previous dealings with the complaint. The Trust Board Complaints Panel will convene **within 30 school days** of receipt of the complaint, or as soon as practicable thereafter. Parents will be invited to attend the panel hearing and, if they wish, to be accompanied. Should parents not attend the hearing without a justified reason, the panel hearing will continue without them and a decision made in their absence.

The aim of the Trust Board Complaints Panel hearing is to impartially resolve the complaint and to achieve reconciliation.

OUTCOMES

For Trust only matters the decision and outcome will be in writing no later than **10** school days after the investigation / hearing.

For matters relating to a school complaint where the Trust has found procedures were <u>not</u> properly followed, both parties are informed of the decision in writing no later than **10** school days after the hearing. The panel will make findings and recommendations available by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. The response will cover:

- The complaint
- The scope of the investigation
- The conclusion of the investigation
- Any action which has resulted

The aim of the investigation or review will always be to resolve the complaint and achieve reconciliation between the Academy and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the Trustees do not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his/her complaint has been taken seriously.

IF THE INVESTIGATION UPHOLDS THE COMPLAINT, redress should be appropriate to the complaint and may include:

- An appropriate expression of regret
- Providing the solution desired by the complainant
- Changing the procedures to avoid future problems

The School will take responsibility for:

Deciding who can take remedial action

- Ensuring that the remedy is carried out
- Ensuring that any remedy is within the schools powers
- Ensuring the approach to remedies is reasonable and consistent

WHERE A COMPLAINT IS NOT UPHELD, the complainant will be given a response and informed of any further action that might be appropriate in their situation.

The decision of the Trust Board will be binding on the Headteacher, Chair of Governors and the school. If the complaint is a curricular one and the complainant is dissatisfied with the outcome, she or he may refer the matter to the DfE on the grounds that the Trust Board has behaved unreasonably.

Once a Trust Board Complaints Panel has heard a complaint, and it is clear that correct procedures have been followed, that specific complaint cannot be reopened. If a request is received in this respect, the Chair of Trustees should inform the complainant that the matter is closed.

Should an investigation into a complaint lead to disciplining a member of staff the outcome will only include confirmation that the staff member will be in receipt of disciplinary procedures. The nature and outcome of those procedures will not be disclosed unless there are exceptional circumstances.

Unreasonable Complaints

Most complaints raised will be valid, and therefore will be treated seriously. However, a complaint may become unreasonable if the person:

- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive.
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaint's procedure, beyond all reason.
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refuses to co-operate with this complaint's procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out.
- Makes a complaint designed to cause disruption, annoyance or excessive demands on School/Trust time.
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value.
- Has made the same complaint before, and it's already been resolved by following the Trust's complaints procedure.
- A complaint may also be considered unreasonable if the person making the complaint does so:
    - Aggressively
    - Using threats, intimidation, or violence.
    - Using abusive, offensive, or discriminatory language.
    - Knowing it to be false.
    - Using falsified information.

Every reasonable step will be taken to address the complainant's concerns and give them a clear statement of the school/Trust's position and their options. The Trust will maintain the role as an objective arbiter throughout the process, including meetings with individuals.

If the complainant continues to contact the school/Trust in a disruptive way, communications strategies may be implemented, which:

- Give the complainant a single point of contact via an email address.
- Limit the number of times the complainant can make contact, such as a fixed number per term.
- Ask the complainant to engage a third party to act on their behalf, such as Citizens Advice.
- Put any other strategy in place as necessary.

Stopping Responding

The Trust may stop responding to the complainant when all of these factors are met:

- The school/Trust believes they taken all reasonable steps to help address the complainant's concerns.
- The school/Trust has provided a clear statement of the position and the options.
- The complainant contacts the school/Trust repeatedly, and it is believed that their intention is vexatious, malicious or is to cause disruption and/or inconvenience.

The Complainant will be informed when the Trust intents to stop responding, however, any new complaints will be considered at Stage 1 of the school, or at the start of the Trust policy.

In response to any serious incident of aggression or violence, the Trust will immediately inform the police and communicate the actions in writing. This may include barring an individual from a School/Trust site.

Duplicate complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a person with parental responsibility for any student in a Penk Valley Academy Trust school, the school will assess whether there are aspects that we hadn't previously considered, or any new information we need to consider.
If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and the process is complete.

If there are new aspects, we will follow this procedure again.

Complaints not considered

The Trust will not consider complaints under the following circumstances:

- Anonymous complaints (unless there are exceptional circumstances).
- Where the complaint concerns a third party used by the school/Trust or that uses the school/Trust property or grounds to provide a service. The complaint should be sent directly to the third party to respond themselves.
- Complaints that relate to an incident which took place more than 3 months previously (unless otherwise agreed by the school/Trust);
    - Complaints made on behalf of a third party.
- Where the complainant has used social media to air their alleged grievance.
- Malicious, serial or duplicate complaints
- Unreasonable or vexatious complaints

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 may contact the ESFA after all stages of both the school complaints and the Trust complaints have been completed.

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by the school or Trust. They will consider whether the school or 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 enquiries@penkvalley.co.uk marked for the attention of the CEO, Chair of Governors or Members, who will acknowledge receipt and explain what action will be taken.

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

What actions do you feel might resolve the problem at this stage?
Are you attaching any paperwork? If so, please give details.
Signature: **Date:**
Official use
Date acknowledgement sent:
By who:
Complaint referred to:
Action taken:
Date: