



WILLOW TREE Academy



THE LEAF CENTRE



Complaints Policy and Procedure

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Mission Statement:

Willow Tree Academy: Together anything is possible.

1. Statement of Intent

Willow Tree Academy aims to resolve complaints at the earliest possible stage, and where possible, informally, and is dedicated to continuing to provide the highest quality of education possible in all of its academies throughout the procedure. The trust aims to meet its statutory obligations when responding to complaints from parents, carers, and other parties regarding the facilities and services it provides.

This policy has been created to handle complaints relating to any aspects of the provision of facilities or services against:

- Any member of staff.
- Any academy within the trust.
- Any School Improvement Board of the trust.
- Individual trustees or the board of trustees.
- The trust as a whole.

It is designed to ensure that the trust's complaints procedure is straightforward, impartial, non-adversarial, allows a full and fair investigation, respects confidentiality, and delivers an effective response and appropriate redress. Once a complaint has been made, it can be resolved or withdrawn at any stage. The headteacher and/or CEO will delegate an appropriate person to be the first point of contact during the complaints procedure.

2. Legal Framework

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- Education Act 2002
- Freedom of Information Act 2000
- Immigration Act 2016
- Equality Act 2010
- UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- Part 7 of the Education (Independent School Standards) Regulations 2014
- Early Years Foundation Stage (EYFS) statutory framework

This policy operates in conjunction with the following school policies:

- Admissions Policy
- Child Protection and Safeguarding Policy
- Behavioural Policy and Exclusion Policy
- Whistleblowing Policy
- Grievance Policy
- Staff Disciplinary Procedures
- Data Protection Policy
- Records Management Policy

3. Scope and Definitions

For the purpose of this policy, a "complaint" is defined as 'an expression of dissatisfaction' towards the actions taken or a perceived lack of action. Complaints can be resolved formally or informally.

A "concern" is defined as 'an expression of worry or doubt' where reassurance is required. For the purpose of this policy, concerns will be addressed as complaints. Any complaint or concern will be taken seriously, whether raised formally or informally, and the appropriate procedures will be implemented.

For the purpose of this policy, "duplicate complaints" are complaints received on the same subject from a partner, family member, or other individual after the local school has resolved the initial complaint. The school will assess whether there are aspects that hadn't previously been considered or if there is new information. If there are no new aspects, the school will inform the new complainant that the complaint has been investigated and responded to, and that the local process is complete. If the individual is dissatisfied, they can refer the matter to the DfE/ESFA.

For the purpose of this policy, "complaints campaigns" arise when the trust or an academy within the trust receives large volumes of complaints that are all based on the same subject. Handling protocols are set out in Section 12.

For the purposes of this policy, "independence" from the trust and its academies is defined as having no association with the trust, including through being a member, trustee, or employee, and having no clear connection with any of the trust's academies, including through being an employee or solicitor.

This policy does NOT cover complaints relating to: Admissions, Statutory assessments of Special Educational Needs (SEN), Safeguarding/Child protection matters, Suspensions and permanent exclusions, Whistleblowing, Staff grievances, Staff discipline, or curriculum withdrawal. Separate procedures exist for these, and complainants will be referred accordingly.

4. Making a Complaint

Any parent and/or carer of a pupil in a trust school is able to make a complaint about the provision of facilities or services that the trust provides. Third parties may make a complaint on behalf of a parent or carer. Complaints should be raised through the appropriate channels, preferably using the Complaints Procedure Form (Appendix A).

Complaints must be made within a three-month time limit of the incident occurring. If the complaint is about a series of related incidents, it must be raised within three months of the last incident. Complaints made outside this time limit will be considered only in exceptional circumstances. Complaints received outside of term time will be treated as being received on the first school day after the holiday period.

The trust will not normally investigate anonymous complaints. A complaint can progress to the next stage of the procedure even if it is not viewed as 'justified' by the academy, ensuring all complainants have the opportunity to fully complete the process.

5. Roles and Responsibilities

To ensure a fair and timely process, the following roles and responsibilities are defined:

- The Complainant: Responsible for cooperating in good faith, expressing the complaint in full at the earliest opportunity, promptly responding to communications, and treating all parties with respect.
- The Investigator: Appointed to establish facts, conduct thorough and sensitive interviews, consider all evidence, and prepare a comprehensive report including findings and potential solutions.

- The Complaints Co-ordinator: Usually the headteacher, a designated complaints governor, or administrative staff member. They keep the complainant updated, ensure the process runs smoothly, and coordinate communication.
- Clerk to the Trust Board: Serves as the key contact point for Stage 3, circulates papers, arranges the hearing, and records minutes.
- Committee Chair: Chairs the Stage 3 panel, ensures proceedings are non-adversarial, and that everyone is treated with courtesy.

6. Complaints Procedure

The trust implements a consistent, three-stage complaints procedure. Briefly, these stages comprise:

Stage	Description	Acknowledgement Target	Resolution/Response Target
Stage 1	Informal Resolution (meeting with staff/headteacher)	5 school days	5 school days following meeting (10 days total)
Stage 2	Formal Investigation (written complaint to headteacher)	5 school days	10 school days (max 15 days if highly complex)
Stage 3	Review Panel Hearing (Clerk coordinates independent panel)	5 school days	Convene within 15 days; outcome sent within 5 days

Stage One – Informal Complaint

Initial complaints should be raised informally with the relevant staff member or the headteacher, either in person, by phone, or in writing. Where a complaint is made initially to a trustee, they will refer the complainant to the appropriate school contact. No staff member or trustee will act alone on an informal complaint outside the procedure, as doing so disqualifies them from participating in any subsequent panel hearing.

The school will acknowledge the informal complaint within 5 school days. Complainants will be asked for their input regarding potential resolutions. An informal meeting will be arranged between the complainant and the headteacher (or subject of the complaint, if appropriate) to discuss the issue respectfully. A written response summarising the discussion and findings will be provided within 5 school days following the meeting, with an overall target of resolving the matter within 10 school days of the initial notification.

Stage Two – Formal Complaint

If the informal stage does not achieve a resolution, the complaint can progress to Stage Two. The formal complaint must be submitted in writing via the Complaints Procedure Form (Appendix A). Complainants should provide complete details, including dates, times, witness names, and copies of supporting documents, alongside their desired outcome.

The headteacher will log the receipt date and acknowledge the complaint in writing within 5 school days. The headteacher (or appointed investigator) will conduct a thorough investigation, including interviews and reviewing evidence. A formal written conclusion detailing findings, resolutions, and options for escalation will be issued to the complainant within 10 school days. For highly complex

cases, this timeline may be extended to 15 school days, and the complainant will be formally notified of the revised target date in writing.

Where reasonable attempts have been made to accommodate the complainant with meeting dates and they refuse or are unable to attend, the meeting will be convened in their absence, and a conclusion will be reached in the interests of drawing the process to a close.

How to Escalate a Complaint

Escalation to the CEO: If dissatisfied with the Stage 2 school-level decision, the complainant may appeal to the Chief Executive Officer (CEO). The request must be submitted in writing to the Clerk to the Board of Trustees within 10 school days of receiving the Stage 2 outcome. The CEO will review the school-level handling, conduct further investigations if necessary, and provide a written response.

Escalation to the Chair of the Trust Board: If the complainant remains dissatisfied after the CEO's review, they may request escalation to the Chair of the Trust Board. This final request to progress to a Stage 3 review panel must be made in writing to the Clerk to the Trust Board within 5 school days of receiving the CEO's response. The Clerk will acknowledge receipt within 5 school days and proceed to convene the panel.

Stage Three – Review Panel Hearing

The Clerk to the Trust Board will record the escalation date and coordinate the panel hearing. The panel will consist of at least three individuals who were not directly involved in the complaint, including at least one independent member. The independent member must have no association with the trust and no connection with the individual academy (for instance, they must not have performed work for it). If a fully separate independent member is not available, a local governor serving on a different academy's board within the trust may occupy this role in line with DfE guidance, as they are sufficiently separate from the school under complaint. The panel cannot consist solely of Trust Board members.

The Clerk will aim to schedule a date within 10 school days of receiving the escalation request. Where possible, the hearing will be convened within 15 school days of receipt. All parties will receive at least 5 school days' written notice of the scheduled time and date. Written material and evidence must be circulated to all attendees at least 5 school days before the meeting. If the complainant rejects the offer of three proposed dates without good reason, the hearing will proceed in their absence based on written submissions.

The meeting will be held in private and is designed to be non-adversarial. Both parties may bring support, but legal representation is not permitted unless in exceptional circumstances agreed beforehand. Staff members acting as witnesses may bring a union representative. Complainants may be accompanied. The panel will hear statements, question parties, and review evidence. After all parties withdraw, the panel will deliberate, formulating its findings and recommendations. A written response explaining the panel's decision will be sent to the complainant and, where relevant, the subject of the complaint within 5 school days of the hearing. Copies will also be made available for inspection on the academy premises by the trust and headteacher.

7. Special Cases: Complaints Against Headteachers, Governors, or the Trust Board

Different investigation routes are established for complaints concerning senior leadership or governance:

- **Complaints Against Staff:** Handled by the headteacher of the academy following the standard procedure.

- **Complaints Against the Headteacher:** Addressed to the Chair of the Trust Board, via the school office, marked Private and Confidential. The CEO will act as the investigator at Stage Two and will seek to resolve the issue informally (e.g., by arranging a meeting with the complainant within 15 days) before moving directly to a Stage Three panel hearing.

- **Complaints Against a Local Governor:** Submitted to the Clerk, investigated by the Chair of the local governing board, with potential escalation to the Trust Board managed by the CEO.

- **Complaints Against the CEO:** Addressed to the Chair of Trustees. The Chair will act as investigator, with a panel hearing available at Stage Three.

- **Complaints Against the Trust as a Whole:** Handled by the CEO and begins directly at Stage Two (Formal).

- **Complaints Against the Chair, Vice-Chair, Majority, or Entirety of the Governing/Trust Board:** To ensure robust independent accountability and prevent conflicts of interest, the following procedure applies:

1. **Stage 1 (Informal):** Directed to the Clerk. A suitably skilled and impartial trustee will attempt informal resolution.

2. **Stage 2 (Formal):** Addressed to the Clerk. The Trust Board will appoint an independent investigator to conduct the investigation and write the formal response within 10 school days.

3. **Stage 3 (Review Panel):** Sourced entirely from outside the trust. A committee of independent governors/trustees from local schools or the local authority will hear the complaint, following the standard Stage Three timelines.

8. Early Years Foundation Stage (EYFS) Complaints

In accordance with statutory duties under the EYFS framework, the school will investigate all written complaints relating to the school's fulfilment of EYFS requirements. Complainants will be notified of the outcome of the investigation within 28 days of the school receiving the complaint. Records of these complaints will be kept securely and made available to Ofsted on request.

Parents and carers can contact Ofsted directly if they believe the school is not meeting its EYFS requirements:

- **Telephone:** 0300 123 4666

- **Email:** enquiries@ofsted.gov.uk

- **Online:** <https://www.gov.uk/government/organisations/ofsted#org-contacts>

The school will notify parents and carers if they become aware of an upcoming Ofsted inspection, and will provide a copy of the inspection report to parents and carers of children attending the setting regularly.

9. Interviewing Witnesses

When interviewing pupils, the meeting must be conducted in a friendly, relaxed, and non-intimidating environment. The interview must take place in the presence of another member of staff or, in the case of serious complaints (such as those carrying the possibility of a criminal investigation), in the presence of their parents or carers. Pupils must be made fully aware of the interview's purpose and their right to have someone present.

The trust will ensure that interviews do not prejudice any Local Authority Designated Officer (LADO) or police investigation. Staff members interviewed are entitled to have a supportive colleague present (who is not also a witness or their line manager). The investigator will remain objective, avoid expressing leading opinions, and have the interviewee sign a copy of the transcription.

10. Recording and Record Keeping

A secure, central written record of all complaints will be kept, regardless of the stage at which they are resolved, detailing the main issues, findings, recommendations, and action taken by the trust (whether the complaint is upheld or not). All correspondence, statements, and records will remain strictly confidential except where the Secretary of State or an inspection body requests access, or under a valid Freedom of Information (FOI) or Subject Access Request (SAR).

Personal data will be stored securely and retained separate to pupil records while a complaint is ongoing, in line with the Data Protection Policy and Records Management Policy. The details of complaints will not be shared with the whole governing board, protecting the impartiality of any future Stage Three panel. Recording devices may be used with the prior consent of all parties to support communication difficulties or disabilities, but covertly obtained recordings will not be accepted as evidence.

11. Managing Unreasonable and Persistent Complaints

The trust is committed to treating all complainants fairly and impartially. However, we do not expect staff to tolerate unacceptable behavior that is abusive, offensive, or threatening. A complaint may be deemed 'unreasonable' if the complainant:

- Refuses to articulate their complaint or specify desired outcomes despite offers of assistance.
- Refuses to cooperate with the investigation process while still wanting resolution.
- Insists on procedures incompatible with this policy or good practice.
- Introduces trivial, irrelevant information, or raises excessive detailed questions demanding immediate answers.
- Makes unjustified complaints about staff handling the issue or seeks to have them replaced.
- Repeatedly raises the same issue after it has been fully investigated and resolved.
- Makes excessive demands on school time via frequent, lengthy, and complicated communications.
- Uses threats, intimidation, abusive, offensive, or discriminatory language, or publishes unacceptable info on social media.

Steps we will take:

The investigator or headteacher will discuss concerns with the complainant informally before applying an 'unreasonable' marking. If behavior continues, the headteacher will write to them formally. For complainants who excessively contact the school causing significant disruption, the trust may enforce a communication plan including:

- Providing a single point of contact via a designated email address.
- Restricting contact to a fixed number of times per term.
- Requiring the complainant to engage a third party, such as Citizens Advice, to act on their behalf.
- Implementing other specific strategies as necessary, to be reviewed after six months.

Serial and Persistent Complaints:

The school may stop responding if a complainant repeatedly makes substantially the same points after the complaints procedure has been completed and a clear statement of the school's position has been provided. The case to stop responding is strengthened if communication is aggressive, contains insulting comments, or is intended to disrupt the school. The school will inform the individual in writing of this decision, noting that new, unconnected complaints will still be considered. Serious incidents of aggression or violence will be reported to the police immediately.

12. Complaint Campaigns

If the trust or an academy receives a large volume of duplicate complaints based on the same subject from individuals unconnected to the school, a standard, single template response will be sent to all

complainants, or a single response will be published on the school's website. If complainants remain dissatisfied, they will be directed to the DfE.

13. Barring from School Premises

School premises are private property, and the headteacher or CEO has the right to ask an individual to leave if their behaviour is a cause for concern. If behaviour warrants, the headteacher/CEO will notify the individual in writing that their implied licence to access the premises has been temporarily revoked, explaining the reasons and giving the individual an opportunity to make formal representations.

The decision to bar will be reviewed by the CEO (or Chair of Trustees if escalated). If maintained, the individual will receive written confirmation of the bar's duration and next review date. Complaints regarding a barring order can be submitted in writing or by email to the CEO.

14. Standard of Fluency Complaints

Under the fluency duty of the Immigration Act 2016, all staff are required to have an appropriate level of spoken English fluency to teach pupils effectively. If a member of the school community believes a staff member lacks sufficient proficiency, they must raise a complaint in line with this policy. Only complaints concerning the standard of spoken English are 'legitimate'; complaints regarding accents, dialects, manner, or tone are not considered legitimate.

The academy will conduct an objective assessment of the staff member's spoken English fluency against clear role specification criteria or fluency descriptors. If the complaint is upheld, the trust will implement supportive or corrective action, which may include: Specific training, Specific re-training, Assessment, Redeployment, or Dismissal. Appropriate support will be provided to protect staff from vexatious fluency complaints.

15. Transferring Data and Availability

When a pupil transfers to a new school, their educational record will be securely transferred, and no copies will be retained. Ongoing complaint records are stored securely and separate from pupil files to maintain proper access and confidentiality. This policy will be published on the trust website and individual academy websites, and is available to any party upon request.

16. Learning Lessons and Monitoring Arrangements

The Trust Board will review the underlying issues raised by complaints with the headteacher of the relevant academy to identify systemic improvements to procedures or practice, preventing future occurrences.

The CEO and the Trust Board will monitor the effectiveness of this policy, tracking the number, nature, and resolution rates of complaints. All records of complaints are logged and managed by the Clerk to the Trust Board. To ensure compliance with statutory guidelines, this policy will be reviewed and updated annually (with the next scheduled review in September 2027).

17. Referring Complaints on Completion of Procedure

If a complainant has fully exhausted the trust's complaints procedure and remains dissatisfied, they have the right to refer their complaint to the Secretary of State for Education. The DfE will not overturn the local decision or re-investigate the original complaint, but will assess whether the trust has breached its funding agreement, failed to comply with education law, or acted unreasonably in exercising its functions.

For more information or to submit a complaint, complainants can visit:

www.gov.uk/complain-about-school or write to:

Complaints Team, Education and Skills Funding Agency

Cheylesmore House, Quinton Road, Coventry, CV1 2WT

What was the result of the discussion? <i>(Describe any responses, actions, or outcomes from that discussion.)</i>	
What would you like the outcome to be? <i>(Clearly state your desired resolution.)</i>	
Additional Information <i>(optional)</i>	
Declaration I confirm that the information provided is accurate to the best of my knowledge.	
Signed:	Date: