



**CITY OF LONDON  
ACADEMIES TRUST**

# Complaints Procedure

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## **1. Who can make a complaint?**

This complaints procedure is for parents or carers of children that are registered at the school. Any person, including members of the public, may raise concerns to the Trust or its schools about any provision of facilities or services that we provide, and these concerns may be processed according to this procedure at the Trust's/school's discretion.

## **2. 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. The Trust takes concerns seriously and will make every effort to resolve matters 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 Principal/Headteacher may refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Principal/Headteacher 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 Trust will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

## **3. 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 of a complainant, as long as they have appropriate written consent to do so.

Complaints against school staff (except the Principal/Headteacher) should be made in the first instance, to the Principal/Headteacher via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the Principal/Headteacher should be addressed to the Chair of the Local Board, via the school office. Please mark them as Private and Confidential. Complaints about the Chair of the Local Board, any individual Local Board member or the whole Local Board should be addressed to the Clerk to the Local Board via the school office. Please mark them as Private and Confidential. In the absence of the Clerk on school sites, a member of staff delegated by the Chair of Local Board or Principal/Headteacher (e.g. the Head's PA, Business Manager, etc,) may process complaints when received by the school and be aware of the content in order to communicate with the Principal/Headteacher, Chair of Local Board and Clerk to the Local Board. Information will be treated sensitively and confidentially.

Complaints about a member of the central Trust team (except the CEO) should be addressed to the CEO, via the Trust office. Please mark them as Private and Confidential. Complaints about the Chief Executive Officer (CEO), or a Trustee of the Trust, should be addressed to the Chair of Trustees, via the Trust office. Please mark them as Private and Confidential. In the absence of the Clerk in the Trust office, a member of central team staff delegated by the CEO/Chair of Trust Board may process complaints when received by the Trust and be aware of the content in order to communicate with the CEO, Chair of Local Board and Clerk to the Trust Board. Information will be treated sensitively and confidentially.

Once a complaint has been submitted, all contact regarding the complaint should be made through the Clerk or specified contact. Any contact and correspondence with schools and the Trust should be civil and professional at all times in order to maintain effective communication channels which enable a resolution to be reached. If we feel this standard of behaviour is being breached, we may put communications strategies in place. We may:

- 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
- Put any other strategy in place as necessary that we deem appropriate at our discretion.

We will take reasonable steps to address the complainant's concerns and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals.

#### **4. Anonymous complaints**

We will not investigate anonymous complaints. However, the Principal/Headteacher or Chair of the Local Board, if appropriate, will determine whether the complaint warrants an investigation.

#### **5. Timescales**

You must raise the complaint within six calendar weeks of the incident or, where a series of associated incidents have occurred, within six calendar weeks of the last of these incidents. We will consider complaints made outside of this timeframe if exceptional circumstances apply; this will be determined by:

- The Headteacher/Principal, where the complaint has been made regarding matters in school or regarding school staff
- The Chair of the Local Board, where the complaint has been made about the Headteacher/Principal
- The CEO, where the complaint has been made regarding a member of the central Trust team
- The Chair of Trustees, where the complaint has been made regarding the CEO or a Trustee.

#### **6. 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.

## 7. Scope of this complaints procedure

This procedure covers all complaints about any provision of community facilities or services by the City of London Academies Trust, other than complaints that are dealt with under other statutory procedures, including those listed below:

Exceptions	Who to contact
Admissions to schools	Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority.
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 or the Multi-Agency Safeguarding Hub (MASH).
Exclusion of children from school*	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> . <i>*Complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i>
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: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a> .  Volunteer staff who have concerns about the school should complain through the school's complaints procedure. You may also be able to complain directly to the LA or the Department for Education (see link above), depending on the substance of your complaint.
Statutory assessments of special educational needs	Concerns about statutory assessments of special educational needs should be raised direct with local authorities.
Content of the national curriculum	Complaints about the content of the national curriculum should be sent to DfE using the <a href="#">contact form</a> .
Services provided by other providers who may use school premises or facilities	Schools will direct complainants to follow the external provider's own complaints procedure.
Staff grievances	Complaints from staff will be dealt with under the Trust's internal grievance procedures.

Staff conduct	Complaints about staff will be dealt with under the Trust'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.
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Please note that complaints regarding the normal application of the school's behaviour policy will not be considered under this procedure, however clearly evidenced and substantiated breaches of the behaviour policy will be considered.

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

## 8. Resolving complaints

At each stage in the procedure, the aim is always to reach a resolution. 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
- 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 withdraws their complaint, we will confirm the withdrawal in writing and the case will be closed. The Trust reserves the right to continue to investigate the complaint if it deems it appropriate to do so.

### Stage 1 – Informal complaints (concerns)

We hope that most concerns can be expressed and resolved on an informal basis. Concerns should be raised with either the class teacher, head of year/subject lead or Principal/Headteacher. Complainants should not approach individual Local Board members or 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 concern will provide an informal written response within 10 school days of the date of receipt of the complaint.

In some cases, a mediative meeting may be held with a facilitator appointed by the school or Trust, such as a Local Board member, senior member of the central Trust team, or, in exceptional circumstances, an external professional. This meeting can be in person or online and will aim to discuss and resolve any concerns with relevant staff.

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 Principal/Headteacher (unless they are about the Principal/Headteacher), via the school office. This must be done in writing, and the complaints form (Appendix 1) must be completed and submitted in all cases. The formal complaint must not exceed more than two pages of A4 and must include:

1. Specific incidents (dates, times, people involved)
2. Direct evidence (documents, correspondence, etc.)
3. A clear desired outcome (must be reasonable and achievable).

The Principal/Headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within five school days. Within this response, the Principal/Headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Principal/Headteacher can consider whether a meeting (either in person or online) is the most appropriate way of doing this. The Principal/Headteacher 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 Principal/Headteacher (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish (e.g. a work colleague, trade union representative).
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the Principal/Headteacher will provide a formal written response within 15 school days of the date of receipt of the complaint. If the Principal/Headteacher 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 Trust will take to resolve the complaint.

The Principal/Headteacher 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 Principal/Headteacher, or a member of the Local Board (including the Chair or Vice-Chair), a suitably skilled Local Board member will be appointed to complete all the actions at Stage 2. The Trust reserves the right to appoint an investigator who is independent of local management or, in exceptional circumstances, independent of the Trust.

Stage 2 will be escalated to the Chair of Trustees if the complaint is:

- jointly about the Chair and Vice Chair or

- the entire Local Board or
- the majority of the Local Board.

If the complaint is about a member of the central Trust team, the CEO will appoint a suitably skilled member of staff to complete all the actions at Stage 2. If the complaint is about the CEO or a Trustee, the Chair of the Trust Board will appoint a suitably skilled person to complete all the actions at Stage 2. As above, the Trust reserves the right to appoint an investigator who is independent of local management or, in exceptional circumstances, independent 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 – 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 school. This is the final stage of the complaints procedure. In the case of complaints made about central Trust team members, the CEO or a Trustee, the panel will comprise three members who were not directly involved in the matters detailed in the complaint, one of which is independent of the management and running of the Trust. The panel will only consider the original matters in the complaint and no new matters can be raised or added to the original complaint that have not already been considered within the complaints process.

A request to escalate to Stage 3 must be made to the Clerk, via the school office (or Trust office for complaints regarding central Trust team members, the CEO or a Trustee), within 10 school days of receipt of the Stage 2 response. The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within five school days. Requests received outside of this timeframe will only be considered if exceptional circumstances apply, otherwise the complaint will be closed. Exceptional circumstances will be considered by:

- The Headteacher/Principal, where the complaint has been made regarding matters in school or regarding school staff
- The Chair of the Local Board, where the complaint has been made about the Headteacher/Principal
- The CEO, where the complaint has been made regarding a member of the central Trust team
- The Chair of Trustees, where the complaint has been made regarding the CEO or a Trustee.

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 15 school days of receipt of the Stage 3 request. If this is not possible, the Clerk will keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of any written submissions available from both parties.

Stage 3 will be heard by the Trustees and an independent panel member if the complaint is:

- jointly about the Chair and Vice Chair or
- the entire Local Board or

- the majority of the Local Board.

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Legal representation or advocacy personnel may not attend the panel hearing unless authorised by the Panel Chair in advance and in exceptional circumstances. Individuals that have current or historical affiliations to legal firms or advocacy groups or have historically acted as an advocate in similar meetings with complainants in Trust schools, may present a conflict of interest and will not be permitted to attend. In these cases, the Trust/school reserves the right to ask complainants to bring another individual.

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; this should be checked with the Panel Chair in advance of the hearing. Representatives from the media are not permitted to attend.

At least five school days before the meeting, the Clerk 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 for 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 three school days before the meeting.

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

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 school's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and the Trust with a full explanation of their decision and the reason(s) for it, in writing, within 10 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 the 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 the 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. Furthermore, they will be available for inspection on the school premises by the proprietor and the Principal/Headteacher.

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.

## **9. Closing complaints**

The Trust, or school, may close a complaint if there is a Relevant Event. A Relevant Event occurs if, in the Trust's or the school's view, a person:

- Pursues a complaint that has already been dealt with by following the complaints procedure (including a complaint that may have been raised by someone else)
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- Knowingly provides falsified information
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure
- Refuses to cooperate with the complaint investigation process
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refuses to cooperate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out
- Changes the basis of the complaint as the investigation goes on
- 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
- Raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- Makes unjustified or unevidenced complaints about staff who are trying to deal with the issues, petitioning or seeking to have them replaced
- Refuses to accept the findings of the investigation into that complaint where the complaints procedure has been fully and properly implemented and completed
- Uses threats to intimidate
- Uses abusive, offensive or discriminatory language or violence
- Publishes complaint details, or unacceptable or defamatory information on social

media or other public forums.

### Steps we will take

Where we make a judgement to close a complaint, we will inform the complainant in writing that we are doing so and why. We will also refer the complainant to Section 11 of this policy.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from any of our school sites and seeking legal advice where necessary.

## **10. Complaint campaigns**

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

- Publishing a single response on the Trust or school website
- Sending a template response to all the complainants.

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

## **11. Escalation to the ESFA**

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, or earlier if a complaint has been closed.

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by the Trust. They will consider whether the 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](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**

## Appendix 1 Complaint Form

Please complete and return to the Principal/Headteacher who will acknowledge receipt and explain what action will be taken.

<b>Your name:</b>
<b>Pupil's name:</b>
<b>Your relationship to the pupil:</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? What resolution are you seeking?**

**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:**