



## COMPLAINTS POLICY

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## Introduction

Spark Education Trust takes concerns seriously and will make every effort to resolve concerns informally. We understand however that there are occasions when people would like to raise their concerns formally and this policy covers the stages of the formal complaints process.

## Making a Complaint

A formal complaint can be made in writing using the Formal Complaints Form. Complaints should be made via the school office addressed as follows:

| Complaints about  | Addressed to                              |
|---|---|
| School staff (except the Headteacher)   | Headteacher                               |
| Headteacher   | Chair of Local Governance Committee       |
| Chair of Local Governance Committee/individual Governor/ Whole Local Governance Committee | Clerk to the Local Governance Committee   |
| Chief Executive Officer (CEO)/Trustees  | Chair of Spark Education Trust Board      |
| Chair of Spark Education Trust Board  | Vice Chair of Spark Education Trust Board |
| Spark Education Trust   | Chief Executive Officer (CEO)             |

The Chief Executive Officer and School Headteachers may delegate complaint investigation and handling to other members of senior staff. Complaints made outside of term time are considered to have been received on the first school day after the holiday period. If you want to withdraw your complaint at any stage, you can do so by informing the Trust.

## Anonymous Complaints

Spark Education Trust will not investigate anonymous complaints. If appropriate and in extremely exceptional circumstances the Trust may review the contents of an anonymous complaint to determine whether it warrants investigation.

## Timescales

Complaints must be raised within three months of an incident/the last of a series of incidents. Spark Education Trust will only consider complaints made outside of this period if exceptional circumstances apply.

## Vexatious & Persistent Complaints

A vexatious complaint is contentiously raised without grounds, to cause annoyance or disruption. A persistent complainant is someone who contacts the Trust and raises the same complaint or similar complaints many times, regardless of whether the complaint has been dealt with. Spark Education Trust may not proceed with a complaint that is considered vexatious and/or persistent to manage expectations and minimise risks.

## Stage 1: Informal Concerns/Complaints

It is to be hoped that most concerns can be expressed and resolved on an informal basis. Concerns should initially be raised with the members of staff most directly involved, for example the Classroom Teacher or Year Manager. If you are not satisfied with the outcome, then concerns should be discussed with a senior member of staff. If the issue remains unresolved, the next step is to make a formal complaint.

## Stage 2: Formal Complaints

Formal complaints must be made via the school office, preferably in writing using the Formal Complaints Form (Appendix 1). The Headteacher will investigate your complaint or delegate the investigation to another member of senior staff.

At the conclusion of their investigation, the Headteacher (or the delegated member of staff investigating the complaint) will provide a written response within ten school days of the date of receipt. If this is not possible due to exceptional circumstances, for example illness or prolonged absence, we will notify you.

If the complaint is about the Headteacher, or a member of the Local Governance Committee (including the Chair or Vice-Chair), a Governor will be appointed to complete the actions at Stage 2.

If your complaint is jointly about the Chair and Vice Chair, the entire Local Governance Committee or the majority of the Local Governance Committee, Stage 2 will be escalated to the Chief Executive Officer.

## Stage 3: Panel Hearing (Final Stage)

In the unfortunate event that you are dissatisfied with the outcome at Stage 2 and wish to take the matter further, you can escalate your complaint to Stage 3. This is a panel hearing consisting of at least three people who were not directly involved in the matters detailed in your complaint, one of which will be an independent panel member.

Requests to escalate to Stage 3 must be sent via the School office addressed to the School Administrator. If your complaint is about the Chief Executive Officer, Trust Chair or a Trustee, it should be addressed to the Trust Governance Manager.

Requests must be made within ten school days of receipt of the Stage 2 response. Requests received outside of this period will only be considered if exceptional circumstances apply.

Spark Education Trust will aim to convene a meeting within twenty school days of receipt of your request, however if this is not possible, we will discuss an anticipated date and keep you informed. If you reject the offer of three proposed dates without good reason we will decide when to hold the meeting and it will proceed in your absence.

You may bring someone to the panel meeting to provide support such as a relative or friend, however representatives from the media are not permitted to attend.

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 not review any new complaints or consider evidence unrelated to the initial complaint.

Electronic recordings of meetings or conversations are not normally permitted unless disabilities or special needs require it.

## Panel Hearing: Outcome

The Committee will consider your complaint, and the evidence presented.

The Committee can:

1. Uphold the complaint in whole/part or
2. Dismiss the complaint in whole/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 and where appropriate, make recommendations.

The Committee will provide their decision within ten school days of the meeting and any actions taken to investigate the complaint, the decision made and the reason(s) for it.

If your complaint is jointly about the Chair and Vice Chair, the entire Local Governance Committee or the majority of the Local Governance Committee, Stage 3 will be heard by Trustees and an independent panel member.

## Next Steps

If you are dissatisfied with the outcome of your complaint at Stage 3 you can contact the Department for Education (DfE). The DfE will consider the handling of the complaint by Spark Education Trust.

The DfE will not re-investigate the original complaint or overturn the Trust's decision, but it may ask the Trust to review how it has handled the matter.

Correspondence, statements, and records relating to individual complaints are 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.

## Appendix 1: Complaint Form

**Your name:**

**Pupil's name:**

**Name of School:**

Or

**Spark Education Trust Complaint:**

**Your relationship with the pupil:**

**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.**