

Complaints Policy



Policy Review Schedule

Policy	OLT Complaints Policy
Review schedule	Every 3 Years
Statutory Policy	YES
Policy owner	CEO
Lead Reviewer	Director of Central Services
Approver and date of last approval	CEO, September 2026
Key review dates	Changes made
04/05/2017	Approved by Chair, CEO and Chief Education Officer: to replace current policy and procedures
04/05/2018	No changes made
01/02/2020	Further information about panels and in line with DfE advice
22/05/2020	Amended section 6.4 to include independent member of complaints panel and removed section 6.5
09/11/2020	General review using DfE model complaints template
29/04/2021	Clarity regarding complaints about Principals and addition made to informal stage – using wider school or trust staff to help seek resolutions
17/06/2022	General review against DfE model complaints policy and model serial and unreasonable complaints policy templates. Removal of duplication. Clarity on timescales and on links with other OLT policies, such as OLT Dealing with Unacceptable Behaviour Policy.
27/02/2023	Review against DfE guidance and DfE model complaints policy. Enhanced clarity on roles within the process and complaint outcomes.
21/05/2024	Reviewed against model DfE Complaints Policy and DfE best practice guidance on complaints processes (2021). Adjustments to sections 6.2(b), 6.3, and 7, to enhance clarity on investigation processes and panel hearings
24/10/2025	References to Director of Central Services replaced with reference to the Director of Central Services.
08/06/2026	Added right to complain about Data protection and Personal Information (new section 16)
26/08/26	Reviewed in line with CST Complaints Policy Guidance issued June 26
Next review: September 29	

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1. Aims

The Trust and each of its schools place significant value on positive and constructive relationships with parents, carers and other key stakeholders.

Before raising a concern or complaint under this policy, we encourage parents and carers to read the **OLT Home/School Communication Policy**, which sets out what parents and carers can expect from their school and what schools can reasonably expect from parents and carers in return. The policy is available on each school's website.

Where a concern does arise, we encourage it to be raised at the earliest opportunity so that it can be considered and addressed promptly and appropriately, with the aim of maintaining a positive and constructive home/school relationship.

Where a complaint is made, the Trust and each of its schools are committed to responding fairly, respectfully and in accordance with their statutory obligations and the procedures set out in this policy

In responding to concerns and complaints, the Trust and its schools aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect and courtesy, and make reasonable adjustments to the process where appropriate to accommodate the individuals involved
- Ensure that any decisions we make are lawful, rational, reasonable, fair, and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement evaluation processes

All schools within the Omnia Learning Trust are committed to providing the best education for our young people and want our pupils to be happy, healthy, safe and to do well. We recognise the importance of establishing and maintaining good relationships with parents, carers, and the wider community. We are aware that there may be occasions where people have complaints or concerns, and the following procedure sets out the steps that must be followed to resolve these as early and effectively as possible through the stages of this procedure.

If a Trustee or Governor is approached regarding a complaint, they should be mindful not to take action outside of these complaints procedures, or have discussions with other Trustees or members of the committees of the Board, in case they are needed to sit on a Complaints Review Panel at a later stage of the procedure.

2. Legislation and guidance

This document meets the requirements set out in part 7 of the schedule to [the Education \(Independent School Standards\) Regulations 2014](#), which states that each school must have and make available a written procedure to deal with complaints from parents of pupils at the school. To this end, the policy is published on the Trust's and each school website.

It is also based on guidance published by the Department for Education on [creating a complaints procedure that complies with the above regulations](#), and refers to [good practice guidance on setting up complaints procedures](#) from the Department for Education (DfE).

This policy complies with the Trust's funding agreement and articles of association.

In addition, it addresses duties set out in the [Early Years Foundation Stage statutory framework](#) with regards to dealing with complaints about each school's fulfilment of Early Years Foundation Stage requirements.

3. Definitions and scope

3.1 Definitions

The DfE guidance explains the difference between a concern and a complaint:

- A concern is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”.
- A complaint is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”.

3.2 Scope

(i) This policy sets out the procedure for raising and considering concerns and complaints which fall within its scope. Concerns will normally begin at Stage 1, with formal complaints progressing through the procedure as set out in Section 6. Concerns which are not resolved at Stage 1 may progress to the formal stages of this procedure. This policy outlines the procedure relating to handling such complaints.

(ii) This policy does **not** cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding concerns and matters which fall within statutory safeguarding procedures (subject to paragraph (iii) below)
- Exclusion
- Whistleblowing
- Staff grievances
- Staff conduct and discipline

Please see our separate policies for procedures relating to these types of complaint, including those listed at Section 16.

Please see Section 17 for complaints relating to Personal Information and Data Protection.

(iii) **Safeguarding and child protection matters**

Safeguarding concerns, including concerns that a child may be at risk of harm, will be dealt with under the Trust's Child Protection and Safeguarding Policy and relevant statutory safeguarding procedures and are not investigated through this Complaints Policy.

However, a complaint about **how the school or Trust has discharged its safeguarding responsibilities**, including a complaint about the actions taken by staff in making or responding to a safeguarding referral, may be considered under this Complaints Policy to the extent set out in Section 13.

The complaints procedure will not be used to reinvestigate or determine matters which are properly the responsibility of children's social care, the police, the Local Authority Designated Officer (LADO), or another statutory safeguarding agency.

For clarity, this complaints procedure may consider concerns about matters which are within the school's responsibility, including the provision of SEN Support, reasonable adjustments, the implementation of support within the school's control, and the way in which the school monitors and reviews a pupil's support.

Certain matters relating to Education, Health and Care Plans (EHCPs) are the responsibility of the local authority rather than the school. These include decisions about whether to undertake an Education, Health and Care needs assessment, issuing and maintaining an EHCP, and securing provision for which the local authority is legally responsible.

Where a complaint concerns matters which fall wholly or partly within the responsibility of the local authority or another body, the school or Trust will explain this to the complainant and, where appropriate, signpost them to the relevant procedure or organisation.

(iv) Complaints about staff conduct will not generally be considered under this complaints procedure and will be considered under staff disciplinary procedures, if appropriate. To maintain confidentiality, complainants will not be informed of any disciplinary action taken against a staff member but will be notified that the matter is being addressed.

(v) Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

4. Roles and responsibilities

An explanation about the role and responsibilities of the complainant, investigator, and others taking part in a complaints process under this policy can be found at Appendix 1.

4.1 Support and reasonable adjustments

The Trust wants the complaints procedure to be accessible to those who need to use it. Where appropriate, reasonable adjustments will be considered to support a complainant or other participant to engage with the process.

This may include, for example, assistance in setting out a complaint, information in an alternative format, use of an interpreter or other appropriate arrangements according to individual need.

A complainant who requires assistance or a reasonable adjustment should contact the Trust, as appropriate.

4.2 Impartiality

No person will investigate, review or determine a complaint where they have had material prior involvement in the matters complained about, or where there is an actual or apparent conflict of interest which could reasonably call their impartiality into question.

Where there is reasonable doubt about a person's ability to act impartially, the Trust will consider whether another suitably appropriate person should undertake that role.

4.3 Anonymous Complaints

The Trust will not automatically disregard a concern or complaint because it has been made anonymously. Anonymous complaints will be considered on the basis of the information provided, taking account of the nature and seriousness of the matters raised and whether there is sufficient information to enable appropriate enquiries to be made.

Anonymity does not remove the need for a complaint to contain sufficient information to enable the matters raised to be understood and, where appropriate, investigated fairly. This will normally include sufficient detail about the incident or circumstances complained about, relevant dates or approximate timeframes, the individuals or groups involved where known, and any other information reasonably necessary to identify the matters being raised.

Where an anonymous complaint does not contain sufficient information to enable the Trust to identify the matters complained about or conduct a fair and proportionate investigation, the Trust may determine that it is not reasonably possible to investigate the complaint under this procedure. The reasons for that decision will be recorded.

Where the identity or contact details of the complainant are unknown, the Trust will necessarily be unable to seek clarification or further information from them, provide updates or an outcome, or operate those stages of the complaints procedure which require further engagement by the complainant.

The Trust may nevertheless consider whether the information provided identifies any safeguarding, health and safety, regulatory, conduct or other concern which requires action outside, or independently of, the formal complaints procedure.

Where an anonymous complaint contains sufficient specific information to enable appropriate enquiries to be undertaken fairly, the Trust may investigate or otherwise consider the matters raised notwithstanding the complainant's anonymity.

5. Principles for investigation

5.1 Defining the scope of a complaint

Once sufficient information has been received to understand the complaint, the person responsible for considering it may confirm in writing the matters that will be investigated and the outcomes sought. This will form the scope of the complaint.

Where a complainant subsequently raises new and materially different matters, these will not normally be added to an investigation already underway. The Trust will determine whether those matters should be considered separately under the appropriate stage of this procedure.

Further information or evidence relating to an existing element of the complaint may be considered where it is relevant and can reasonably be considered without causing disproportionate delay.

5.2 Proportionality

The investigation will be proportionate to the nature, seriousness and complexity of the matters raised. The investigator will determine what enquiries and evidence are reasonably necessary to reach a fair and reasoned conclusion.

The complaints procedure does not require every person identified by a complainant to be interviewed, every document requested to be obtained, or every question raised to receive a separate response where this is not reasonably necessary to determine the complaint.

The investigator is responsible for determining how the investigation will be conducted, subject to the requirements of this policy and the need for a fair and impartial investigation. A complainant may identify evidence, witnesses or lines of enquiry they consider relevant, but does not determine the manner in which the investigation will be conducted.

When investigating a complaint, the investigator will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

The Trust will consider the outcome sought by the complainant but cannot guarantee a particular remedy. Any remedy must be lawful, reasonable, proportionate and within the authority of the school or Trust to provide.

5.3 Time scales

The complainant must raise the complaint within **3 months** of the incident. If the complaint is about a series of related incidents, they must raise the complaint within **3 months** of the last incident.

Exceptions to this time frame will be considered in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When a complaint is made outside of term time, it will be considered as having been received on the next school day.

If at any point the time scales in this policy cannot be met by the school/Trust, it will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay

5.4 Presence of children at meetings regarding concerns or complaints raised

It is unlikely that the resolution of a concern or complaint within these guidelines will be assisted by the presence of pupils at any meeting between the Principal, or other staff and the complainant. A meeting which required the presence of the pupil would only be one at which confidential matters or issues relating to named members of staff were not discussed. Staff are advised to consult a parent if their child is required to clarify facts concerning a complaint and ensure that a pupil does not participate in a discussion where they might witness confrontations between adults.

5.5 Complaints about our fulfilment of early-years requirements

The Trust will investigate all written complaints relating to the school's fulfilment of the Early Years Foundation Stage requirements and notify the complainant of the outcome **within 28 school days**

of receiving the complaint. The school will keep a record of the complaint (see section 14) and make this available to Ofsted on request.

Parents and carers can notify Ofsted if they believe that the school is not meeting Early Years Foundation Stage requirements, by calling 0300 123 4234 or 0300 123 4666, or by emailing enquiries@ofsted.gov.uk. An online contact form is also available at <https://www.gov.uk/government/organisations/ofsted#org-contacts>.

The school/Trust will notify parents and carers if we become aware that the school is to be inspected by Ofsted. We will also supply a copy of the inspection report to parents and carers of children attending the setting on a regular basis.

5.6 Clarifying information in relation to complaints

Where the Trust requires further information or a response from the complainant in order to progress the complaint, and no response is received within four weeks of the Trust's request, the Trust may write to the complainant confirming that the complaint has been closed.

The Trust may agree to reopen the complaint where there are exceptional circumstances which reasonably explain the lack of response and where the complaint can still be investigated fairly.

Where clarification or further information is reasonably required in order to understand or investigate a complaint, but cannot be obtained because the complaint has been made anonymously and no means of contacting the complainant has been provided, the Trust will determine whether the complaint can fairly and reasonably be considered on the information available, having regard to Section 4.3.

Where there is insufficient information to enable a fair and proportionate investigation, the Trust may determine that the complaint cannot be progressed under this complaints procedure. This will not prevent the Trust from taking any action it considers necessary in response to safeguarding, health and safety, regulatory, conduct or other concerns identified from the information provided.

5.7 Use of Artificial Intelligence

Complainants may choose to use artificial intelligence (AI) tools to assist them in preparing correspondence. Complainants remain responsible for ensuring that information submitted as part of a complaint is accurate, relevant and relates to the circumstances of the complaint.

AI-generated material can sometimes include inaccurate information, irrelevant material or references to legislation, guidance or procedures which do not apply. Where the use of AI or other material makes the substance, scope or factual basis of a complaint unclear, the Trust may ask the complainant to clarify the matters they wish to have investigated in accordance with Section 5.6 above.

Complainants should also take appropriate care when entering personal or sensitive information about pupils, staff or others into publicly available AI services.

5.8 Parallel proceedings

Where matters raised in a complaint are also being considered under another statutory, legal, regulatory, safeguarding, employment or other formal process, the Trust may pause consideration

of some or all of the complaint where continuing the complaints process could prejudice, interfere with or unnecessarily duplicate that process.

The complainant will be informed where consideration of the complaint is paused and, where possible, given an indication of when it is expected to resume.

Once the other process has concluded, the Trust will determine whether any matters remain which can appropriately be considered under this complaints procedure.

5.9 New information/evidence

Information and evidence should be provided as early as reasonably possible in the complaints process. Where significant new evidence is provided at a late stage, the person considering the complaint will determine whether it is reasonable and fair to consider it at that stage, whether further enquiries are required, or whether the matter should be referred back to an earlier stage of the procedure.

6. Informal and Formal Complaints Process

The Trust complaints process has four main stages which are set out in the diagram below. The following sections 6.1, 6.2, 6.3 and 6.4 set out the process for each stage.

Following completion of Stages 1, 2, or 3 of the complaints procedure, the Trust may offer mediation or another form of facilitated resolution where it considers that this may assist in resolving the matters that remain in dispute. Further details are set out in Section 8.



**Omnia
Learning Trust**

Ambitious for All

Our Complaints Process

A guide for parents and carers

We are committed to listening to and resolving concerns as quickly as possible.
Most concerns can be resolved informally at school.



STAGE 1 INFORMAL RESOLUTION (School-led)

Raise your concern informally with the appropriate member of school staff.

- This could be a class teacher, a member of the senior leadership team or the Head, depending on the nature of your concern.
- You can do this in person, by phone or by email.
- The school will try to resolve your concern quickly and informally.



Contact your school

Please contact the school office (details available on the school website).



We will respond within **20 school days** of the date we receive your concern.



Mediation (Trust-led)

Mediation can be considered at this point if your concern remains unresolved before moving to Stage 2.



STAGE 2 FORMAL COMPLAINT (School-led)

If your concern remains unresolved following Stage 1, submit your formal complaint in writing to the school.

- Explain what remains unresolved and the outcome you are seeking.
- You **must do this within 10 school days** of receiving the Stage 1 response.
- The school will investigate your complaint.
- You will receive a full written response.



Contact your school

Please contact the school office (details available on the school website).



We will respond within **20 school days** of the date we receive your complaint.



Mediation (Trust-led)

Mediation can be considered at this point if your complaint remains unresolved before moving to Stage 3.



STAGE 3 TRUST REVIEW (Trust-led)

If your concern remains unresolved following Stage 2, submit a request for a Trust Review in writing to the Director of Central Services.

- You **must do this within 10 school days** of receiving the Stage 2 response.
- An independent person will be appointed to carry out a review, where possible.
- You will receive a full written response from the Trust.



Contact the Trust

Director of Central Services
Omnia Learning Trust
Email: contact@omnialearningtrust.org



We will respond within **20 school days** of the date we receive your request for a review.



Mediation (Trust-led)

Mediation can be considered at this point if your complaint remains unresolved before moving to Stage 4.



STAGE 4 COMPLAINTS REVIEW PANEL (Trust-led)

If your concern remains unresolved following Stage 3, submit a request for a Complaints Review Panel in writing to the Director of Central Services.

- You **must do this within 10 school days** of receiving the Stage 3 response.
- A panel of independent members, with no prior involvement in the complaint, will consider your request.
- You will be invited to attend the panel hearing and will receive a written outcome.



Contact the Trust

Director of Central Services
Omnia Learning Trust
Email: contact@omnialearningtrust.org



We will issue our written outcome **within 20 school days** of the date of the hearing.

6.1 Stage 1: Informal Resolution

The Trust and its schools aim to resolve concerns and complaints informally wherever possible and at the earliest opportunity.

Concerns and informal complaints are usually best resolved directly with the school. Stage 1 is therefore a required part of this complaints procedure. A complaint will not normally be accepted or considered at Stage 2 unless the complainant has first raised the matter through Stage 1 and has allowed the school a reasonable opportunity to consider and respond to the concern. Rarely, a complaint may proceed directly to Stage 2 where the Trust determines that the nature or circumstances of the concerns make this appropriate.

A concern should be raised in the first instance with the member of staff most directly involved in the matter, or with an appropriate member of the school's leadership team. At Stage 1 the school Principal may review a concern raised about the Principal or a matter which the Principal has been directly involved in. The member of staff considering the concern will seek to understand the issues raised and the outcome sought and will consider what, if anything, can reasonably be done to resolve the matter.

Where appropriate, a meeting or telephone conversation may be offered to assist in resolving the concern.

The school will seek to respond to the concern within a reasonable timescale. Concerns and informal complaints will be acknowledged by the school in writing within **5 school days** of receipt and the school will aim to address the matters **within 20 school days** of receipt. Where further enquiries are required, the complainant will be kept informed.

If the concern cannot be resolved informally, or the complainant remains dissatisfied following the school's informal response, the complainant may make a formal complaint under Stage 2 of this procedure. The complainant must ensure the school has issued their full and final response before proceeding to stage 2.

The requirement to complete Stage 1 does not prevent the school or Trust from taking immediate action where a concern raises an urgent safeguarding, health and safety or other serious matter requiring prompt action. Any such action does not, in itself, mean that the complaint has progressed to Stage 2.

6.2 Stage 2: Formal Complaint

Formal complaints must be lodged **within 10 school days** after the full and final response has been issued during the informal process.

Where a complainant seeks to make a Stage 2 complaint without first completing Stage 1, the complaint will normally be referred back to the appropriate member of staff or school leader for their full and final response under Stage 1. The Stage 2 timescales will not normally commence until Stage 1 has been completed.

6.2(a) Formal complaints considered by the Principal

Formal complaints considered by the Principal will be acknowledged by the school in writing **within 5 school days** of receipt and the school will aim to address the matters **within 20 school days** of receipt.

A formal complaint should normally be made in writing to the Principal **via the school office**. The complainant may use the complaint form at Appendix 2 or otherwise provide the information requested by that form.

The complaint should clearly set out:

- the matter or matters being complained about
- relevant events and approximate dates and times, where known;
- the people involved
- any steps already taken to resolve the matter
- any relevant evidence the complainant wishes to be considered; and
- the outcome or resolution sought

If a complainant requires assistance in making their complaint, support and reasonable adjustments will be considered in accordance with Section 4.1.

The Principal will acknowledge receipt of the formal complaint and will determine how the complaint should be investigated.

The Principal may investigate the complaint personally or may appoint an appropriate member of staff or other suitably independent person to investigate and report their findings. The person appointed should, wherever reasonably practicable, have had no material previous involvement in the matters complained about.

The investigator may:

- meet or speak with the complainant;
- meet or speak with members of staff or other relevant persons;
- consider relevant records, correspondence and other evidence;
- seek clarification or further information where necessary; and
- consider any other reasonable steps necessary to establish the relevant facts.

The investigation will seek to establish, on the balance of probabilities, what happened and whether the complaint should be upheld in whole or in part.

Following the investigation, the Principal will consider the evidence and determine the outcome of the complaint.

The Principal may:

- uphold the complaint in whole or in part;
- not uphold the complaint in whole or in part; and/or
- determine or recommend appropriate action arising from the complaint.

Where appropriate, action may include:

- an apology;
- an explanation;
- an acknowledgement that a situation could have been handled differently or better, which does not constitute an admission of negligence;
- an assurance about future practice;
- action intended to prevent a recurrence;
- a review of relevant policies, procedures or practices; or
- consideration of a matter under another Trust or school policy.

Where matters are referred for consideration under staff disciplinary or other confidential employment procedures, the complainant will not be informed of confidential employment information or the outcome of any disciplinary process but may be informed that the matter has been addressed.

The Principal will normally provide a written Stage 2 outcome **within 20 school days** of the formal complaint being received, subject to Section 5 of this policy. Where this timescale cannot reasonably be met, the complainant will be informed of the reason for the delay and provided with a revised response date.

The written outcome will explain:

- the steps taken to investigate the complaint;
- the decision reached on the matters complained about;
- the reasons for that decision;
- any action that it is appropriate to disclose; and
- how the complainant may request a Stage 3 Trust Review in accordance with Section 6.3

6.2(b) Formal complaints about the Principal

Where the complaint at Stage 2 is about the Principal, the complaint should be submitted to the Director of Central Services using this e-mail address: **contact@omnialearningtrust.org**

Formal complaints about the Principal will be acknowledged by the Trust in writing **within 5 school days** of receipt and the Trust will aim to address the matters **within 20 school days** of receipt.

The Director of Central Services will appoint an appropriate senior Trust Executive or other suitably independent person to consider the complaint at Stage 2. The person appointed will undertake the Stage 2 process described at Section 6.2(a) in place of the Principal and will issue the Stage 2 outcome.

Where the complaint concerns both the Principal and other matters or members of staff, the Director of Central Services will determine the most appropriate arrangements for considering the complaint, having regard to the need for fairness and impartiality and avoiding conflicts of interest.

A complaint about the Principal at Stage 2 will not be investigated or determined by the Principal.

Complaints concerning the CEO, members of the Trust Executive Team or Trustees will be dealt with in accordance with Section 7.

6.3 Stage 3: Trust Review

The request must be submitted in writing to the Director of Central Services **within 10 school days** of the date of the Stage 2 written outcome and using this e-mail address:
contact@omnialearningtrust.org

Formal requests for a Trust Review will be acknowledged by the Trust in writing **within 5 school days** of receipt and the school will aim to be address the matters **within 20 school days** of receipt.

6.3(a) Grounds for requesting a Trust Review

If the complainant considers that there are specific grounds for challenging the Stage 2 investigation, findings or outcome, they may request a Stage 3 Trust Review.

The request must identify the specific aspects of the Stage 2 investigation, findings or outcome being challenged and explain the grounds for the review. A request for a Trust Review should not simply repeat the original complaint or state disagreement with the outcome.

Dissatisfaction with the outcome of a complaint does not, in itself, require the Trust to repeat an investigation or reconsider matters for which no relevant new information or procedural concern has been identified.

A Trust Review is not an automatic reinvestigation of the original complaint. Its purpose is to provide an internal review of the handling and outcome of the complaint before consideration is given to convening a Complaints Review Panel.

The request must identify the specific grounds for review. Examples of grounds for requesting a Trust Review may be based upon:

- relevant evidence was not properly considered;
- irrelevant or materially inaccurate evidence was taken into account;
- a material element of the complaint was not addressed;
- the complaints procedure was not properly followed;
- the investigation was not fair or sufficiently thorough; or
- the conclusions reached were not reasonably supported by the available evidence.

The complainant must identify at least one specific ground for requesting a Trust Review and explain how it relates to the Stage 2 investigation, findings or outcome. General dissatisfaction or disagreement with the outcome, without identified grounds for review, will not in itself constitute grounds for a Trust Review.

Where a request does not identify sufficiently clear grounds for review, the Trust may ask the complainant to clarify the basis of their request before the Stage 3 review proceeds.

6.3(b) Conducting the Trust Review

The Director of Central Services will appoint an appropriate senior Trust employee, Trustee or other suitably independent person to conduct the review.

The reviewer must not have had material previous involvement in the complaint and should not review a decision that they themselves made.

The reviewer will consider:

- the original complaint and outcome sought;
- the Stage 2 investigation;
- the evidence considered at Stage 2;
- the Stage 2 response and conclusions;
- the complainant's reasons for requesting the review; and
- any other information the reviewer reasonably considers necessary.

The reviewer may seek further information or clarification from the complainant, school, investigator or other relevant persons.

Where necessary to ensure a fair outcome, the reviewer may undertake further enquiries or require further investigation to be carried out.

New complaints which did not form part of the Stage 2 complaint will not normally be considered at Stage 3. Such matters may need to be considered separately under the appropriate stage of this procedure.

6.3(c) Outcome of the Trust Review

Following the review, the reviewer may:

- uphold the Stage 2 decision;
- uphold the original complaint in whole or in part;
- reach a different conclusion on one or more aspects of the complaint;
- require further investigation or enquiries;
- recommend or require appropriate remedial action; and/or
- identify learning or recommendations for the school or Trust.

The complainant will normally receive a written outcome **within 20 school days** of the request for a Trust Review being received.

Where this timescale cannot reasonably be met, the complainant will be informed of the reason for the delay and provided with a revised response date.

The response will explain the outcome of the review, the reasons for the decision and how the complainant may request a Stage 4 Complaints Review Panel in accordance with Section 6.4.

6.3(d) Stage 3 following a complaint about the Principal

Where the Stage 2 complaint concerned the Principal, the Trust will normally provide a Stage 3 Trust Review where a suitably independent person who has had no previous involvement in the complaint is available to conduct it.

Where the Director of Central Services determines that it is not reasonably possible to provide a sufficiently independent or meaningful Stage 3 review because of the persons already involved in considering the complaint, the complainant will be permitted to proceed directly from Stage 2 to Stage 4.

The complainant will be informed in writing where this applies.

6.4 Stage 4: Complaints Review Panel

Formal requests for a Complaints Review Panel will be acknowledged by the Trust in writing **within 5 school days of receipt**. The Review Panel will aim to respond with an outcome letter **within 20 school days** from and including the date of the Panel hearing.

The request should set out the grounds for review and should be made in writing to the Director of Central Services **within 10 school days** of the date of the Stage 3 outcome letter, sent to this e-mail address: **contact@omnialearningtrust.org**

Where Section 6.3(d) applies and Stage 3 has been omitted, the request must be made **within 10 school days** of the Stage 2 outcome.

6.4(a) Grounds for requesting a Complaints Panel Review

Stage 4 is the final stage of the Trust's internal complaints procedure.

A complainant may request a Stage 4 Complaints Review Panel following completion of the Stage 3 Trust Review

The request must identify the specific grounds for review. Examples of grounds for requesting a Complaints Review Panel may be based upon:

- relevant evidence was not properly considered;
- irrelevant or materially inaccurate evidence was taken into account;
- a material element of the complaint was not addressed;
- the complaints procedure was not properly followed;
- the investigation was not fair or sufficiently thorough; or
- the conclusions reached were not reasonably supported by the available evidence.

The complainant must identify at least one specific ground for requesting a Complaints Review Panel and explain how it relates to the Trust Review findings or outcome. General dissatisfaction or disagreement with the outcome, without identified grounds for review, will not in itself constitute grounds for a Complaints Review Panel.

Where a request does not identify sufficiently clear grounds for review, the Trust may ask the complainant to clarify the basis of their request before the Stage 4 review proceeds.

The Complaints Review Panel will not normally undertake a complete reinvestigation of the complaint. Its role is to consider the complaint, the way in which it has been investigated and reviewed, the decisions reached and whether the complaint has been handled fairly and appropriately under this procedure.

6.4(b) Convening the Complaints Review Panel

The Director of Central Services will arrange for a Complaints Review Panel to be convened.

The panel will consist of at least three people who were not directly involved in the matters detailed in the complaint. At least one panel member will be independent of the management and running of the school.

The Director of Central Services will seek to arrange the panel hearing **as soon as reasonably practicable** and will notify the complainant of the date, time and arrangements for the hearing.

Where reasonably practicable, the Trust will seek to agree a date and time that enables the complainant to attend. The hearing may take place in person or remotely where appropriate.

The complainant may bring a companion to the panel hearing, for example a friend or relative, to provide support.

The companion should not normally be a member of the media or an individual attending in the capacity of a legal representative. The Trust may agree to legal representation in exceptional circumstances where it considers this appropriate.

The meeting will be held in private.

Electronic recording of the meeting will not normally be permitted unless required as a reasonable adjustment. Where recording is agreed, all parties attending the hearing will be informed in advance.

Where the complainant is a child or young person, appropriate arrangements will be made to support them to present their complaint. Where a parent is the complainant, the panel will consider whether, and to what extent, it is appropriate for the child or young person to attend, having regard to their best interests.

Relevant papers will normally be circulated to the complainant, panel members and school or Trust representatives in advance of the hearing.

6.4(c) Conduct of the Complaints Review Panel

The hearing will be chaired by a member of the panel.

The Chair will ensure that the hearing is conducted fairly, that everyone is treated with respect and that the parties have an appropriate opportunity to present their case.

The complainant and the school or Trust representative will have an opportunity to explain their position and present relevant evidence. The panel may ask questions of those present and may consider written evidence or information from other relevant persons.

The panel will consider the original complaint and the way in which it has been investigated and reviewed at the preceding stages of the complaints procedure.

The panel will not normally consider new complaints which did not form part of the complaint considered at the earlier stages of the procedure. New complaints will normally need to be dealt with separately under the appropriate stage of this procedure.

The panel may decline to consider evidence which is submitted too late throughout the process or is not relevant to the matters under review.

Once the panel is satisfied that it has received sufficient information to consider the complaint, the complainant and school or Trust representatives will be asked to leave and the panel will consider its decision in private.

6.4(d) Complaints Review Panel outcome

The panel may:

- uphold the complaint in whole or in part;
- not uphold the complaint in whole or in part;
- uphold or vary a decision reached at an earlier stage of the procedure; and/or
- make findings or recommendations arising from its consideration of the complaint.

Where appropriate, the panel may recommend:

- an apology;
- an explanation;
- an acknowledgement that the situation could have been handled differently or better, which does not constitute an admission of negligence;
- action intended to prevent a recurrence;
- a review of relevant policies, procedures or practices; or
- other appropriate action or learning for the school or Trust.

Where a matter is more appropriately considered under another Trust or school policy, including staff disciplinary procedures, the panel may recommend that it is referred for consideration under that procedure. The complainant will not be informed of confidential employment information or the outcome of any disciplinary process.

The Chair of the panel will write to the complainant and the school or Trust within 20 school days of the hearing.

The written outcome will explain the panel's findings and decision, the reasons for its conclusions and any recommendations or actions that it is appropriate to disclose.

The panel's findings and recommendations will be made available to the complainant and, where relevant, the person complained about. They will also be available for inspection by the Principal and Trust.

The Stage 4 outcome concludes the Trust's internal complaints procedure. The Trust will not enter into further correspondence about the substance or outcome of a complaint once the procedure has been completed, unless genuinely new and material information is provided which could not

reasonably have been provided earlier and which the Trust considers may materially affect the outcome.

Correspondence which repeats matters already considered, expresses continued disagreement with the outcome, or seeks to reopen concluded matters without materially new information will not result in the complaints procedure being reopened.

The outcome letter from the Trust will explain how the complainant may refer concerns about the Trust's handling of the complaint to the Department for Education.

7. Complaints concerning Trustees, the CEO or members of the Trust Executive Team

The arrangements in this section apply where a complaint concerns a Trustee, the CEO, a member of the Trust Executive Team, the Trust Board or the Trust itself. The principles, timescales and other provisions of this complaints procedure will apply unless this section provides otherwise.

Where the Director of Central Services is the subject of the complaint, or has had material previous involvement in the matters complained about, the functions assigned to the Director of Central Services under this section will be undertaken by another appropriate senior Trust employee or Trustee who has had no material previous involvement in the complaint.

7.1 Complaints about an individual Trustee, the CEO or an individual member of the Trust Executive Team

7.1(a) Making the complaint

The complaint should be submitted to the Director of Central Services using this e-mail address: contact@omnialearningtrust.org

The complaint should normally be made in writing using the complaint form at Appendix 2, or otherwise provide the information requested by that form. Where a complainant requires assistance to make their complaint, they may contact the Director of Central Services.

Where appropriate, the requirements of Stage 1 will apply before the complaint progresses to Stage 2.

7.1(b) Stage 2: Formal Complaint

The complaint will normally be considered at Stage 2 by the Chair of Trustees. Where the complaint concerns the Chair of Trustees, it will be considered by the Vice-Chair of Trustees.

Where the Chair or Vice-Chair has had material previous involvement in the matters complained about, or there is another actual or apparent conflict of interest, the Director of Central Services will arrange for another suitably independent person to consider the complaint. The person considering the complaint will follow the Stage 2 process set out at Section 6.2(a), undertaking the role assigned there to the Principal.

An independent investigator may be appointed to undertake or assist with the investigation. Where an investigator is appointed, the person responsible for determining the Stage 2 complaint will consider the investigator's findings and reach the Stage 2 decision.

7.1(c) Stage 3: Trust Review

Where the complainant considers that there are specific grounds for challenging the Stage 2 investigation, findings or outcome, they may request a Stage 3 Trust Review in accordance with Section 6.3.

The request must be made in writing to the Director of Central Services **within 10 school days** of the date of the Stage 2 outcome letter and must identify the specific aspects of the Stage 2 investigation, findings or outcome being challenged and explain the grounds for the review. The Director of Central Services will arrange for the Stage 3 Trust Review to be undertaken by a suitably appropriate Trustee, senior Trust employee or other independent person who has had no material previous involvement in the complaint and who is able to act impartially.

The provisions of Section 6.3 will otherwise apply.

Where it is not reasonably possible to provide a sufficiently independent and meaningful Stage 3 Trust Review because of the identity or previous involvement of those available to undertake the review, Stage 3 will be omitted, and the complainant will be entitled to proceed directly to Stage 4: Complaints Review Panel. The complainant will be informed of this in writing.

7.1(d) Stage 4: Complaints Review Panel

Where the complainant has completed Stage 3 and wishes to progress the complaint further, or where Stage 3 has been omitted in accordance with Section 7.1(c), they may request a Stage 4 Complaints Review Panel.

The provisions of Section 6.4 will apply.

No person who investigated, determined or reviewed the complaint at an earlier stage, or who has otherwise had material previous involvement in the matters complained about, may sit on the Complaints Review Panel.

Stage 4 is the final stage of the Trust's internal complaints procedure.

7.2 Complaints about the Trust, the Chair and Vice-Chair jointly, the entire Trust Board or a majority of Trustees

7.2(a) Making the complaint

A complaint about the Trust itself, the Chair and Vice-Chair of Trustees jointly, the entire Trust Board, or a majority of Trustees should be submitted to the Director of Central Services using this e-mail address: [**contact@omnialearningtrust.org**](mailto:contact@omnialearningtrust.org)

The complaint should normally be made in writing using the complaint form at Appendix 2, or otherwise provide the information requested by that form. Where a complainant requires assistance to make their complaint, they may contact the Director of Central Services.

Where the Director of Central Services has had material previous involvement in the matters complained about, the complaint will be administered by another appropriate person who has had no material previous involvement in the complaint.

7.2(b) Stage 2: Independent Formal Investigation

The Director of Central Services, or other appropriate person acting in their place, will appoint a suitably independent person to consider the complaint.

The person appointed must be independent of the Trust and must not have had material previous involvement in the matters complained about.

The independent person will follow the Stage 2 process set out at Section 6.2(a), undertaking the role assigned there to the Principal, and will provide a written Stage 2 outcome.

7.2(c) Progression following Stage 2

Because the Stage 2 complaint has been considered independently of the Trust and concerns the Trust Board, a majority of its members, or the Trust itself, a further internal Trust Review under Stage 3 would not normally provide a meaningful additional level of independent review.

Accordingly, Stage 3 will not apply to complaints considered under Section 7.2.

Where the complainant considers that there are specific grounds for challenging the Stage 2 investigation, findings or outcome, they may request progression to Stage 4: Complaints Review Panel.

The request must be submitted in writing to the Director of Central Services, or the person administering the complaint, **within 10 school days** of the date of the Stage 2 outcome letter. The request must identify the specific aspects of the Stage 2 investigation, findings or outcome being challenged and explain the grounds for requesting a panel hearing.

7.2(d) Stage 4: Independent Complaints Review Panel

The provisions of Section 6.4 will apply, except that all members of the Complaints Review Panel will be independent of the Trust.

No panel member may have had material previous involvement in the complaint or in the matters complained about.

The panel will consider the substance of the complaint together with the way in which it was investigated and determined at Stage 2. It is not required routinely to repeat enquiries or interviews already undertaken where it is satisfied that these were conducted appropriately, but may consider relevant evidence and make such further enquiries as it considers necessary to reach a fair and reasoned conclusion.

Stage 4 is the final stage of the Trust's internal complaints procedure.

8. Resolution and Mediation

Following completion of Stages 1, 2, or 3 of the complaints procedure, the Trust may offer mediation or another form of facilitated resolution where it considers that this may assist in resolving the matters that remain in dispute.

Participation in mediation or facilitated resolution is voluntary. A complainant will not be prevented from requesting progression to a later stage because they do not wish to participate in mediation.

The purpose of mediation is not to reinvestigate the complaint or require either party to change its position. It is intended to identify the matters that remain unresolved following the earlier stages of the complaints procedure and explore whether an agreed resolution can be reached.

Mediation may be conducted by an appropriate person who has not previously been materially involved in the complaint or, where appropriate, by an external mediator.

Where mediation takes place and an agreed resolution is reached, this will be confirmed in writing and the complaints procedure will conclude.

Where mediation does not resolve the complaint, the complainant may request progression to the next stage in the complaints procedure in accordance with Section 6.

9. Referring complaints on completion of this complaints procedure

Following completion of the Trust's complaints procedure, a complainant may refer concerns about the Trust's handling of their complaint to the Department for Education (DfE). The DfE's role is to consider whether the Trust has followed the complaints process. It will not reinvestigate the substance of the original complaint or overturn the Trust's decision.

The DfE may consider whether:

- the Trust has a complaints procedure which complies with applicable requirements;
- the Trust followed its published complaints procedure;
- the complainant was able to complete the complaints procedure; and
- the Trust otherwise complied with the requirements applicable to its handling of the complaint.

Where the DfE considers that the Trust has not handled a complaint in accordance with its published procedure or applicable requirements, it may ask the Trust to take appropriate action in accordance with its findings.

For more information or to refer a complaint, see the following webpage:
<https://www.gov.uk/complain-about-school>, or write to:

Ministerial and Public Communication Division
Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

This information will be included in each Stage 4 outcome letter to a complainant.

10. Unreasonable Complaint Behaviour

10.1 Definition of unreasonable complaint behaviour

The Trust is committed to considering complaints fairly, impartially and in accordance with this procedure.

There may, however, be circumstances where the nature, frequency, persistence, manner or impact of behaviour associated with a complaint becomes unreasonable, places disproportionate demands on staff or Trust resources, significantly disrupts the operation of a school or the Trust, or obstructs the fair and effective consideration of the complaint.

The Trust will consider the individual circumstances of each case when determining whether behaviour is unreasonable. Any action taken will be reasonable and proportionate.

10.2 Examples of unreasonable complaint behaviour

Examples of behaviour which may be considered unreasonable include where a complainant:

- refuses to articulate their complaint, identify the matters complained about or specify the outcome sought, despite reasonable offers of assistance;
- refuses to cooperate with reasonable requirements of the investigation or review process;
- refuses to accept that particular matters fall outside the scope of the complaints procedure;
- insists that a complaint is dealt with in a manner which is incompatible with this procedure or with reasonable and fair investigation or review arrangements;
- repeatedly introduces trivial, irrelevant or unrelated information and insists that it is considered or separately responded to;
- raises large numbers of detailed but immaterial questions and insists that they are answered individually or within unreasonable timescales;
- makes unjustified complaints about staff or others involved in handling the complaint and seeks to have them removed or replaced without reasonable grounds;
- repeatedly attempts to change or materially expand the scope or basis of the complaint while it is being investigated or reviewed;
- repeatedly raises the same complaint or substantially the same matters after they have already been considered and responded to under this procedure;
- continues to seek reconsideration of matters following completion of the complaints procedure without providing genuinely new and material information;
- seeks an outcome which is unlawful, unreasonable, disproportionate or outside the authority of the school or Trust to provide;
- makes excessive demands on school or Trust time through frequent, lengthy, repetitive or unnecessarily complicated contact;
- insists upon immediate responses or seeks to impose unreasonable timescales which are inconsistent with this procedure;
- contacts multiple members of staff, Trustees or other representatives about the same matter despite having been provided with an appropriate point of contact;
- records meetings or telephone conversations without informing those involved, contrary to reasonable arrangements established for dealing with the complaint;
- uses threatening, intimidating, abusive, offensive, discriminatory, harassing or otherwise unacceptable language or behaviour;
- makes or threatens violence;
- knowingly provides false or falsified information or evidence;
- publishes or threatens to publish personal, confidential, abusive, threatening or otherwise unacceptable material about pupils, staff, Trustees or others on social media, public forums or elsewhere; or
- otherwise behaves in a way which unreasonably obstructs the fair and effective consideration of the complaint.

10.3 Managing unreasonable complaint behaviour

Where the Trust considers that behaviour associated with a complaint has become unreasonable, it may take reasonable and proportionate steps to manage the behaviour and its impact.

Where reasonably practicable and appropriate, the Principal, Director of Central Services or Chair of Trustees, as applicable, will explain the concern to the complainant and provide a reasonable opportunity for the behaviour to change. The Trust may take action without prior warning where the nature or seriousness of the behaviour justifies this.

Depending on the circumstances, the Trust may:

- designate a single point of contact for the complainant;
- specify the method or channel through which communications must be made;
- limit the frequency, duration or times of telephone calls, meetings or other contact;
- set reasonable arrangements for when and how correspondence will be responded to;
- require related matters, questions or correspondence to be consolidated into a single communication;
- require communications to be limited to matters relevant to the complaint;
- require the complainant to identify clearly the matters requiring a response;
- decline to respond to correspondence which substantially repeats matters already considered and answered;
- decline to respond individually to large numbers of substantially similar, irrelevant or immaterial questions;
- decline to consider information, questions or demands which fall outside the scope of the complaint;
- end a telephone call or meeting where behaviour becomes abusive, threatening or otherwise unacceptable;
- decline to engage with communications which are abusive, threatening or contain no substantive matter requiring a response;
- proceed with the complaint on the basis of the information and evidence available where a complainant refuses to cooperate with reasonable steps necessary to investigate or review the complaint;
- close correspondence on matters which have already completed the complaints procedure, subject to any genuinely new and material information;
- restrict access to school or Trust premises where this is necessary and proportionate; and
- take any other reasonable and proportionate action necessary to manage the behaviour, protect staff, pupils or others, or enable the school or Trust to operate effectively.

10.4 Restrictions

Where restrictions are imposed, the Trust will normally inform the complainant in writing of the reasons for the decision, the arrangements or restrictions which will apply and, where appropriate, how long they will remain in place.

Restrictions may apply to particular forms of communication or contact without preventing an ongoing complaint from continuing through the complaints procedure.

Restrictions will be kept under review and may be amended or withdrawn where appropriate.

10.5 Effect on the complaints procedure

Action taken to manage unreasonable behaviour will not, in itself, prevent a complaint from being considered or progressed in accordance with this procedure.

The Trust may, however, manage the manner in which a complainant communicates with the school or Trust in order to protect staff and others, make proportionate use of Trust resources and enable the complaints procedure to operate fairly and effectively.

The Trust may decline to reconsider or continue correspondence about matters which have already completed the complaints procedure unless genuinely new and material information has been provided.

10.6 Serious or wider unacceptable behaviour

Where behaviour is sufficiently serious, or extends beyond the management of the complaint itself, the Trust may take further appropriate action. This may include action under the Trust's Dealing with Unacceptable Behaviour Policy, restricting access to premises, seeking legal advice or contacting the police or another appropriate body.

Serious behaviour, including threats, violence, harassment or conduct which may constitute a criminal offence, may be referred immediately to the police or another appropriate authority. The Trust is not required to issue a prior warning before taking such action where the circumstances justify an immediate response.

11. Duplicate Complaints

If a complaint has been resolved under this procedure and a duplicate complaint on the same subject is received from a partner, family member or other individual, the Director of Central Services will assess whether there are aspects that previously had not been considered, or if there is any new information to be taken into account.

If the Director of Central Services is satisfied that there are no new aspects, they will:

- Inform the complainant that substantially the same matters have already been considered under this procedure and that the Trust will not reinvestigate those matters in the absence of materially new information; and
- provide information about the DfE complaints route where appropriate.

If there is new information within the complaint, the procedure within this complaints policy will be followed in respect of such new information.

12. Complaint Campaigns

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

- Publishing a single response on the school/Trust website
- Sending a template response to all of the complainants

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

13. Safeguarding Referrals

The Trust and its schools have statutory duties to safeguard and promote the welfare of pupils. Where a member of staff has a safeguarding concern about a child, they may be required to share information with or make a referral to children's social care, the police, the Local Authority Designated Officer (LADO), or another appropriate safeguarding agency in accordance with the Trust's Child Protection and Safeguarding Policy and statutory guidance.

The fact that a parent, carer or other person disagrees with a safeguarding referral, or disputes the information which led to a referral, does not in itself mean that the referral was inappropriate.

Where a complaint is made about a safeguarding referral or other safeguarding action taken by the school or Trust, consideration under this Complaints Policy will be limited to matters which are within the school or Trust's responsibility and authority.

This may include consideration of:

- whether the member of staff had a reasonable basis for raising or reporting the safeguarding concern on the information available to them at the time;
- whether the Trust's Child Protection and Safeguarding Policy and relevant procedures were followed;
- whether information was shared with an appropriate person or agency;
- whether the school or Trust acted within its safeguarding responsibilities; and
- whether any relevant actions or decisions taken by the school or Trust were reasonable in light of the information available at the time.

The complaints investigation will consider the circumstances and information reasonably available to the member of staff at the time the safeguarding decision or referral was made. It will not assess the decision with the benefit of information which only became available subsequently, except where that information is relevant to whether appropriate subsequent action should have been taken.

The complaints procedure will not determine:

- whether abuse, neglect or another safeguarding concern actually occurred;
- the outcome of an investigation undertaken by children's social care, the police, the LADO or another external agency;
- whether an external agency should have taken particular action following a referral; or
- matters which fall within the statutory functions or decision-making responsibilities of another organisation.

Where a safeguarding investigation or other statutory process is ongoing, consideration of the complaint may be paused in accordance with Section 5.8 (Parallel Proceedings) where continuing the complaints process could prejudice, interfere with or unnecessarily duplicate that process.

Nothing in this Complaints Policy will prevent the school or Trust from taking immediate safeguarding action, making a referral, sharing information or otherwise complying with its statutory safeguarding duties while a complaint is being considered.

14. Record keeping

The school/Trust will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential, held securely and accessed only by those who require access for the purposes of administering, investigating, determining, reviewing or monitoring complaints, or where access or disclosure is otherwise required or permitted by law. This is except where the Secretary of State (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law and our privacy notices. The complaints records are logged and managed by the CEO.

Details of individual complaints will not normally be shared with Trustees who are not involved in considering the complaint, in order to preserve their impartiality should they subsequently be required to undertake a Stage 3 Trust Review or sit on a Stage 4 Complaints Review Panel.

Where a Trustee has acquired material prior knowledge of the substance of a complaint, the Director of Central Services will consider whether this affects their ability to participate impartially at a later stage, having regard to Section 4.2. Where necessary, another suitably impartial person will be appointed.

15. Monitoring arrangements

The Trust Board will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The Trust Board will track the number and nature of complaints and review underlying issues which may have been identified.

16. Links with other policies

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Exclusions policy
- Staff grievance procedures
- Staff disciplinary procedures
- SEN policy and information report
- Privacy notices

17. Complaints Relating to Personal Data and Data Protection

The Trust takes the protection of personal data seriously and is committed to complying with UK data protection legislation. Individuals who have concerns about the way the Trust has collected, used, shared, retained or otherwise processed their personal information may raise those concerns in line this section of the OLT Complaints Policy.

Examples of data protection concerns may include, but are not limited to:

- The accuracy of personal information held by the Trust;
- The disclosure of personal information to another person or organisation;
- The security of personal information;
- Delays or concerns relating to the handling of information rights requests;
- Concerns regarding the lawful basis for processing personal information;
- The retention or deletion of personal information.

Where a complaint relates wholly or partly to data protection matters, the complaint may be referred to the Trust's Data Protection Officer (DPO) or another appropriately authorised officer to assist with the investigation and response. The Trust will investigate data protection complaints in accordance with the timescales set out below in place of the process (including timescales) set out at sections 6 and 7 above and will seek to resolve concerns at the earliest opportunity.

Requirement	Omnia approach
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How to complain	Directly to email, via contact@omnialearningtrust.org
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Acknowledgement	Within 5 calendar days
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Investigation	By DPO and/or appropriate senior leader
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Outcome	Written response explaining findings and actions within 30 calendar days
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Escalation	To ICO (details provided in outcome letter and below)
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Where a complainant remains dissatisfied following completion of the Trust's complaints procedure, they may refer the matter to the Information Commissioner's Office (ICO), the UK's independent authority for data protection matters.

Information Commissioner's Office (ICO)

Website: www.ico.org.uk

Telephone: 0303 123 1113

Nothing in this procedure affects an individual's statutory rights under data protection legislation or their right to raise concerns directly with the ICO at any time.

Appendix 1: Roles and Responsibilities

The complainant

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures
- Co-operate with the school throughout the process, and respond to deadlines and communication promptly
- Treat all those involved with respect
- Respect the confidentiality and privacy of pupils, staff and others involved in the complaint and does not publish personal, confidential, abusive, threatening or otherwise unacceptable material relating to the complaint

The complainant can ask a third party to make the complaint on their behalf.

The investigator/Trust Reviewer

An individual will be appointed to look into the complaint and establish the facts. They will:

- Keep an open mind
- Meet, write to or speak with all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report which includes the facts and potential solutions

The Director of Central Services

The Director of Central Services will:

- Be the contact point for the complainant and the complaints review panel, including circulating the relevant papers before any complaints review panel hearing
- Arrange the complaints review panel hearing
- Record and circulate the minutes and outcome of the hearing

The Complaints Review Panel Chair

The Complaints Review Panel Chair will:

- Chair the panel hearing, ensuring that everyone is treated with respect throughout
- Make sure all parties see the relevant information, understand the purpose of the panel hearing, and are allowed to present their case

Appendix 2: Complaint Form

Please complete and return to the school office or to the Trust by e-mail to: **contact@omnialearningtrust.org** as appropriate, marked for the attention of [e.g. the Principal/Director of Central Services - *please select as appropriate*] and marked 'Urgent, Private and Confidential'.

For the attention of:	
Complainant's Name:	
Pupil's name (<i>if appropriate/relevant</i>):	
Your relationship to the pupil (<i>if appropriate/relevant</i>):	
Address (including postcode):	
Daytime telephone number:	
Today's date:	

Please give details of your complaint (including dates, times, and names or the existence of any witnesses to events)

What action, if any, have you already taken to try and resolve your complaint. (who did you speak to and what was the response?)

What outcome or solution are you looking for and what specific actions do you feel might help resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.

Signature

Date:

OFFICIAL USE

Date received:

Date acknowledgement sent:

By whom:

Complaint referred to: