The Rutland Learning Trust

Providing outstanding education for all pupils – today and tomorrow!

First -class education and care that allows every child to achieve their potential, regardless of location, prior attainment or background.

By Working Together
Sustaining Excellence
Transforming Lives

Complaints Policy and Procedure

Why is this required?

Statutory

What changes have been made?

The complaint form has been updated to reflect current GDPR requirements as advised by our DPO.

What is the intended impact of this policy?

Best practice guidance for school complaints procedure 2020

Policy Summary

- **Informal and Formal Complaint Stages**: Concerns are ideally resolved informally through direct communication with staff. If not, the formal complaints process can be followed, involving the Headteacher or the Chair of Governors depending on the issue.
- **Types of Complaints**: The procedure covers complaints regarding the application of policies, mistreatment, and prejudicial decisions. Complaints about day-to-day operational decisions (like curriculum) are not part of this process.
- **Who Can Complain**: Parents, carers, pupils, former pupils, and advocates can file complaints, but concerns about admissions, exclusions, or child protection are dealt with through separate procedures.
- **Handling Unreasonable Behaviour**: The Trust has measures for managing complainants who engage in unreasonable behaviour, including excessive contact or abusive language, and may limit communications if necessary.
- **Timeframes and Exceptions**: Complaints should be raised within three months of the incident, though exceptions can be made in special circumstances. Complaints outside term time are considered received on the first school day after a break.

Date: Term 4 2026

Review date: Term 4 2027

Data will be processed to be in line with our requirements and protections set out in the UK General Data Protection Regulation, Data Protection Act as amended by the Data (Use and Access) Act 2025.

General Principles

The Rutland Learning Trust is committed to working in close partnership with parents and the community. However, we recognise that from time to time concerns or complaints may arise and it is our aim to work with all parties involved to resolve these as quickly and efficiently as possible. Usually, concerns can be resolved quickly through day to day communication between parents and school staff.

Trust and School Policies

When the Academy Trust or Governing Board of a school adopts or approves a policy, and the school puts the policy into operation, that is part of the day to day running of the school. If there is an objection to a policy, this is a matter that needs to be referred back to the Trust or Local Governing Board. It is separate to the complaint process

Day to day operational decisions about curriculum and timetabling should be referred to the Headteacher for review in the first instance and escalated to Governors or Trustees if necessary. They are operational decisions that are expected of Headteachers and senior leaders by virtue of the Contract of Employment and expectations set out by the Department for Education. The method to address these issues is to refer these to the Trust or Local Governing Board.

The complaints process exists to enable parents, carers, pupils, former pupils, advocates and other individuals to complain about the *application* of policies, concerns about treatment or mistreatment or issues relating to prejudicial decisions to be properly reviewed in school and by an independent panel of governors.

However, for those situations where an informal resolution is not reached, there is a more formal process to investigate and deal with complaints.

The aim of this procedure is to:

- provide a fair complaints procedures which is clear and easy to use
- attempt to resolve concerns through informal discussions at the earliest stage
- provide clarity of who will be co-ordinating the process in school
- give clear timelines for resolution
- encourage resolving the issues and finding a way to move forwards
- demonstrate a fair approach to managing complaints and concerns
- explain how vexatious and unreasonable behaviour by complainants is dealt with

Complaints will be managed in line with the Complaints Process set out within this procedure.

The table entitled 'Management of Stages' sets out who will be involved in the management of your complaint depending on the stage it has reached.

Who can make a complaint?

The complaints process exists to enable parents, carers, pupils, former pupils, advocates and other individuals to complain about the application of policies, concerns about treatment or mistreatment or issues relating to prejudicial decisions to be properly reviewed in school and by an independent panel of governors.

Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

The difference between a concern and a complaint

A concern may be defined as '*an expression of worry or doubt over an issue considered to be important for which reassurances are sought*'.

A complaint may be defined as '*an expression of dissatisfaction however made, about actions taken or a lack of action*'.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. <Academy Name> takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, discuss the matter with the headteacher, and arrangements can be made to refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Head teacher will to 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, our school will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

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 on a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with either the class teacher or headteacher. If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual governors 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 2 of the procedure.

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

Complaints that involve or are about the Headteacher should be addressed to the Chair of Governors, via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole governing Board should be addressed to the Clerk to the Governing Board via the school 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.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask a third-party organisation for example like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

Unreasonable actions

Our Trust defines unreasonable actions as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to co-operate with the complaints investigation process
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- changes the basis of the complaint as the investigation proceeds
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, the Headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues, the Headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact our school causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

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.

Scope of this complaints procedure

This procedure covers all complaints about any provision of community facilities or services by <Academy Name>, 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). <insert LADO/MASH details>.
• Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions. **complaints about the application of the behaviour policy can be made through the school's complaints procedure. <link to school behaviour policy>.*
• Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus. Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.
• Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
• Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action

	taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.

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

When the Governing Board of a school adopts or approves a policy, and the school put the policy into operation, if any person is unhappy with the content of that policy following adoption or approval, this is a matter for dispute that needs to be referred back to the Governing Board rather than form part of the complaints process.

Day to day operational decisions about curriculum and timetabling should be referred to the Governing Board for review. There are operational decisions that are expected of Headteachers and senior leaders by virtue of their Contract of Employment and expectations set out by the Department for Education. These are not open to this complaints process.

Resolving complaints

At each stage in the procedure, Rutland Learning Trust wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

Withdrawal of a complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

Stage 1 – Informal complaints

It is to be hoped that most concerns can be expressed and resolved on an informal basis.

Concerns should be raised with either the class teacher or Headteacher. Complainants should not approach individual governors 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 complaint will provide an informal written response within 15 school days of the date of receipt of the complaint.

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 Headteacher (unless they are about the Headteacher), via the school office. This may be done in person or in writing (preferably on the Complaint Form).

The Headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

Within this response, the Headteacher (or relevant Governor or Trustee depending on who the complaint is about) will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Headteacher (or relevant Governor or Trustee) can consider whether a face to face meeting is the most appropriate way of doing this.

If the matter is within the scope of the complaint policy, it is important that the right person to investigate is identified. The Headteacher (or relevant Governor or Trustee) will look, initially, within the resources of the school or Academy Trust (if appropriate), but it may be necessary to seek an external, neutral third party to undertake this role. The Headteacher (or relevant Governor or Trustee) has discretion to appoint this person, and to notify the complainant about who the person is and reasons for the decision.

If the complaint is about a member of staff, an HR process will be followed. That is outside the scope of this complaint guidance.

The Headteacher (or relevant Governor or Trustee) may delegate the investigation to another member of the school's senior leadership team or suitable investigating officer but not the decision to be taken.

During the investigation, the 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
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the Headteacher (or relevant Governor or Trustee) will provide a formal written response within 15 school days of the date of receipt of the complaint.

If the Headteacher (or relevant Governor or Trustee) 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 that will be taken to resolve the complaint.

The Headteacher (or relevant Governor or Trustee) 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 Headteacher, or a member of the governing Board (including the Chair or Vice-Chair), the CEO will be appointed to complete all the actions at Stage 3.

Complaints about the Headteacher or member of the governing Board must be made to the Chair of Governors, via the school office.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing Board or
- the majority of the governing Board

Stage 2 will be escalated to the CEO of the Trust.

Records

The records of a complaint process are subject to the Data Protection Act 2018 and other statutory requirements.

There is an obligation to keep appropriate records. The Investigating Officer will collect and keep records of meetings as necessary. When the investigating officer writes their report they may decide to combine their notes into that report, and destroy original copies. They may decide to summarise their notes in the report and keep original copies. This will be specified in any report.

Schools keep necessary records but not a note of every meeting or discussion that is held between school staff or with parents, carers and pupils. To try and retain a record of every interaction or discussion about a pupil would be impossible on a daily basis.

On occasion emails may also be deleted as part of the retention and information management process.

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 with members of the governing body's complaints committee, which will be formed of the first three, impartial, governors available. This is the final stage of the complaint procedure.

Right to Seek a Panel

Following an investigation, or an outcome, either the complainant or the person complained about, can seek to take the matter to a panel hearing if they disagree with the outcome of the investigator's report and recommendations.

Procedure for Stage 3

A request to escalate to Stage 3 must be made to the Clerk, via the school office, within 5 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 5 school days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

Arrangements for the Panel

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 provide an anticipated date and 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 written submissions from both parties.

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate.

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

Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

Material for the Panel Hearing

At least 10 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 to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the panel at least 5 school days before the meeting.

Any written material will be circulated to all parties at least 3 school days before the date of the meeting. 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 panel 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 Panel Hearing

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 our school 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 Rutland Learning 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 Rutland Learning 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 appointment with the 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 Board conducting an inspection under section 109 of the 2008 Act requests access to them.

Complaints escalated to the Trust

If a complaint is escalated to The Rutland Learning Trust, "the trust" or if a complainant wishes to complain directly about the trust, then the complaint should be sent to the CEO to be investigated.

An Independent Investigating Officer can be appointed. The investigation will focus on the matters raised in the complaint.

The CEO will write to the complainant acknowledging the complaint within **5 school days** of the date that the written request was received. The acknowledgement will confirm that the complaint will now be investigated under the relevant Stage of this Complaints Policy and will confirm the date for providing a response to the complainant.

Following the investigation, the CEO will write to the complainant confirming the outcome within **15 school days** of the date that the letter was received. If this time limit cannot be met, the CEO will write to the Complainant within **10 school days** of the date that the letter was received**,** explaining the reason for the delay and providing a revised date.

Complaint about the CEO or a Trustee

If the complaint concerns the CEO or a Trustee, the complaint should be investigated by the Chair of the Trust Board. If a formal complaint form is received about the Chair, the complaint will be referred to the Vice Chair for investigation.

Where the Chair of the Trust Board has investigated the complaint, they will write the letter of outcome to the Complainant and provide a copy to the CEO.

If the complainant is not satisfied with the outcome of the previous stage, the complainant should write to the Clerk to the Trust Board asking for the complaint to be heard before a Complaint Panel, within 5 school days.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 15 school days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

Arrangements for the Trust Complaint Panel Procedure

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 2 request. If this is not possible, the Clerk will provide an anticipated date and 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 written submissions from both parties.

If the complaint is:

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

- the majority of the trust Board

Stage 3 will be heard by a completely independent committee panel.

The Complaint Panel will consist of three members. None of the three members of the Complaint Panel will have been involved in the incidents or events which led to the complaint or have been involved in dealing with the complaint in the previous stages, of have any detailed prior knowledge of the complaint.

One of the Complaint Panel members will be independent of the management and running of the Academy Trust. This means that the independent Complaint Panel member will not be a Trustee or an employee of the Trust.

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate.

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

Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

Material for the Panel Hearing

At least 10 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 to 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 5 school days before the meeting.

Any written material will be circulated to all parties at least 3 school days before the date of the meeting. 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 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 Trust Panel Hearing

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 Rutland Learning 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 Rutland Learning 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 Rutland Learning 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 by appointment with the 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 Board conducting an inspection under section 109 of the 2008 Act requests access to them.

Data Protection

Prior to commencing any investigation, it is necessary for the complainant to give consideration to what personal data that they are content to be shared with an investigating officer. Attached to the complaint form is consent to share material to enable an investigation to be undertaken.

If the complainant does not give consent to share information, it is important to note that the scope of the complaint may be limited and, therefore, the actions available to conclude the complaints process may also be limited. In some instances, the complaint may not be able to proceed. The complainant will be informed if this is the case to give an opportunity to consider consent to share the material again.

UK GDPR and DPA Complaints

All Staff must be aware of the GDPR and DPA complaints process. All complaints should be directed to the Headteacher. If any member of staff is aware that a person wishes to complain they should direct the person to the school website and complaints policy and form

The Headteacher is responsible for dealing with all complaints in line with this procedure.

The school complaints policy sets out the complaints process. This will be the basis for dealing with Data Protection Complaints and appeals. A written outcome will be provided.

If the school does not comply with a Subject Access Request within 1 month (subject to any extension), or refuses all or part of the request, written reasons will be provided, setting out the principles for the refusal.

If you feel that the Rutland Learning Trust have not dealt with your matter satisfactorily you can complain to the Information Commissioner

By post:
Customer Contact
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow

SK9 5AF

Or by email: casework@ico.org.uk

More information is on the ICO website www.ico.org.uk/

Next Steps

If the complainant believes the school/Trust did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education (DfE) after they have completed Stage 3.

The DfE will not normally reinvestigate the substance of complaints or overturn any decisions made by The Rutland Learning Trust. They will consider whether the school in question 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 Department for Education
Complain about a school to the Department for Education - GOV.UK

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

Vexatious Complaints

If properly followed, a good complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Chair of Governors is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

Duplicate complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and the local process is complete
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint
- If there are new aspects, we will follow this procedure again.

Complaint campaigns

There can be occasions where the school receives large volumes of complaints from multiple sources. In these cases, we reserve our right to treat this as a complaints campaign and as such we may choose to manage these complaints as a whole and produce a single statement which is shared with all complainants.

Although the subject matter of the complaint will be taken seriously and fully investigated, the issue will not be investigated repeatedly without good reason.

In the event of a complaint which is identified as a part of a series of near identical complaints, the following process will be followed:

- The complainant begins the complaints process as usual.
- School staff identify that this complaint is one of many very similar complaints.
- A single letter of response is prepared.
- This letter of response is shared with each complainant.
- Complainants will have an opportunity to appeal the outcome of the complaint.

As there may be a high volume of complainants and therefore a high number of appeals received, appeals may also be managed as a whole and as such the procedure will be varied. It will not be possible for all complainants to attend an appeal panel meeting, however an opportunity to submit additional information will be provided.

Management of Stages

Complaint against Academy or Academy Staff

Complaint relates to	Stage 1 Informal	Stage 2 Formal Investigating Officer	Stage 3 Complaint Panel
Pupils, parents or staff (other than the Headteacher)	The appropriate member of staff	The Headteacher or another Senior Leader	Panel appointed consisting of at least three people who are not directly involved in matters detailed in the complaint with one panel member who is independent of the management and running of the school.
The Headteacher	The Headteacher	The Chair of Governors.	Panel appointed consisting of at least three people who are not directly involved in matters detailed in the complaint with one panel member who is independent of the management and running of the school.
A Governor or Governors (other than the Chair of Governors)		The Chair of Governors	Panel appointed consisting of at least three people who are not directly involved in matters detailed in the complaint with one panel member who is independent of the management and running of the school.
The Chair of Governors		Chief Executive Officer of Academy Trust	Panel appointed consisting of at least three people who are not directly involved in matters detailed in the complaint with one panel member who is independent of the management and running of the school.
The whole Board of Governors		Chief Executive Officer of Academy Trust	Panel appointed consisting of at least three people who are not directly involved in matters detailed in the complaint with one panel member who is independent of the management and running of the school.

Complaint against Academy Trust or Academy Trust Officer

Complaint relates to	Stage 1 - Informal	Stage 2 - Formal Investigating Officer	Stage 3 Complaint Panel
Academy Trust Officer (other than the Chief Executive Officer)	The appropriate Academy Trust Officer.	Chief Executive Officer of Academy Trust	Panel of Trust Directors appointed by the Chair or Vice-Chair of the Trust.
Chief Executive Officer	Chief Executive Officer	Chair of Trust Board	Panel appointed of completely independent members
Trust Director (other than the Chair of the Trust)		Chair of the Trust Board	Panel appointed of completely independent members
The Chair of the Trust (or group of Directors including the Chair of Directors)		Vice-Chair of the Trust	Panel appointed of completely independent members
The whole Board of Trust directors		Lead Governance Professional	Members to appoint an independent investigation and Panel completely independent members

Roles and Responsibilities

Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
    - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
    - interviewing staff and children/young people and other people relevant to the complaint
    - consideration of records and other relevant information
    - analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting

- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the Headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The Headteacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator

(this could be the Headteacher or CEO / designated complaints governor or trustee or other staff member providing administrative support)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, Headteacher, CEO, Chair of Governors, Chair of Trust or the Clerk and to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
  - sharing third party information
  - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.

Clerk to the Governing Board / Trust Board

The Clerk is the contact point for the complainant and the committee and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example: stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

Committee Chair

The committee's chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting

- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Clerk (and complaints co-ordinator, if the school has one).

Committee Member

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so
  No governor / trustee may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant
  We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.
- many complainants will feel nervous and inhibited in a formal setting
  Parents/carers often feel emotional when discussing an issue that affects their child.
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting
  Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.
  The committee should respect the views of the child/young person and give them equal consideration to those of adults.
  If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.
  However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.
- the welfare of the child/young person is paramount

Complaint Form

Your Name	
Pupils Name (if relevant)	
Your relationship to the pupil (if relevant)	
House/ flat/ building number and street name	
Town	
County	
Postcode	
Your telephone number	
Your email address	

Formal complaint

Please provide as much detail as possible. All of the boxes expand to take additional text.

I am writing to make a formal complaint against/about	
Please describe what your complaint is and when it arose	
What you think the School did wrong or did not do. Include dates, names of witnesses etc.	
Please provide details about the consequences of what happened	
What action, if any, have you already taken to try to resolve your complaint? (who have you spoken with or written to and what was the outcome?).	
What do you think the School should do to resolve matters at this stage?	

Please list copies of any documents you are attaching to the complaint.	

Please consider if you give consent to share your personal data with any investigating officer or not. Please delete either

I give my consent to share personal data that is relevant to the complaint with the investigator and with any panel that may be convened to deal with the complaint. I consent to this confidential and sensitive data to be shared for that specific purpose. I realise that any information held about any third party cannot be shared without their specific consent.

Should it be necessary in the view of the investigator to seek that third party consent I give my approval that they may share sufficient information with that third party to enable that person to make an informed choice about whether or not to give consent to sharing that person's information with the investigator.

OR

I do not give my consent to share my personal data to an allocated investigating officer. I acknowledge that this may limit the scope of the complaint investigation.

Signed

Dated

Official use
Date acknowledgement sent:
By who:
Complaint referred to:
Date:

Annexe - Notes for managing serial and unreasonable complaints

Complainants should try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, the headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking.

If the behaviour continues, the headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact our school causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

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 the school premises.

If an individual's behaviour is causing a significant level of disruption, regardless of whether or not they have raised a complaint, school leaders can implement a tailored communication strategy. For example (but not limited to):

- restrict the individual to a single point of contact via an email address
- limit the number of times they can make contact, such as a fixed number of contacts per term

Recording meetings covertly

Complainants should make sure they obtain informed consent from all parties present before recording conversations or meetings.

We do not normally accept electronic recordings as evidence when we are asked to consider a complaint. However, we may accept independently notarised transcriptions of recordings providing we have the written consent of all recorded parties.

Unless exceptional circumstances apply, the DFE and ESFA will support schools who refuse to accept, as evidence, recordings of conversations that were obtained covertly and without informed consent of all parties being recorded. We recommend this is made clear in complaints procedures.

When to stop responding

Both the DFE and the ESFA state the following about this:

The decision to stop responding should never be taken lightly.
You need to be able to say yes to all of the following:

- you have taken every reasonable step to address the complainant's concerns

- the complainant has been given a clear statement of your position and their options

- the complainant contacts you repeatedly, making substantially the same points each time

Data Usage Access Act 2025 - Complaint Process Appendix

Introduction

The Rutland Learning Trust is committed to protecting the privacy and personal data of its students, staff, parents/carers, governors and the wider school community. This policy outlines the procedure for handling complaints related to data usage and access, in accordance with the Data Usage Access Act (DUAA) and other relevant UK data protection legislation, including the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018 (DPA 2018).

The UK GDPR documents as set out on our website provide an overview of how personal data is managed across our settings.

This is an appendix to the main complaint policy and reflects the requirement for standalone data usage complaints to be handled using a separate procedure. Any complaint that is linked to other matters whether raised as a formal or informal complaint are to be dealt with under the standard complaint process as outlined within the main complaint policy.

Roles and responsibilities

The Data Controller (DC) is responsible for ensuring compliance with this policy and the legal obligations imposed by the UK GDPR, Data Protection Act 2018, Data Usage and Access Act 2025 and other relevant legislation. The DC will delegate day to day management of this to the relevant staff member and the DC will expect that staff member to investigate any complaint unless there is a conflict of interest, in which case the DC will appoint a suitable person.

The headteacher and leadership team are responsible for ensuring all staff are aware of this policy and their data protection obligations.

All staff members are responsible for handling personal data in a secure and lawful manner and for co-operating fully with any investigation into a data usage or access complaint.

Scope

This policy applies to all individuals who have dealings with The Rutland Learning Trust and believe that their personal data has been used or accessed inappropriately, or that their rights under the DUAA and other data protection laws have been infringed.

This includes but is not limited to:

- current and former students
- parents/carers
- school staff (teaching, support, and administrative)
- governors
- volunteers
- contractors and suppliers

Principles

Fairness and transparency: All complaints will be handled in a fair, impartial, and transparent manner.

Confidentiality: Complaints and all related information will be treated with the utmost confidentiality, unless disclosure is required by law.

Timeliness: Complaints will be acknowledged and investigated in a prompt manner.

Compliance: All actions taken will comply with the DUAA, UK GDPR, DPA 2018, and other relevant legislation.

The complaint procedure

Step 1: Informal resolution

We encourage individuals to first attempt an informal resolution of their concerns. If you have a concern about data usage or access, you should, in the first instance, raise it with the relevant member of staff or senior person. Please contact the Office Manager of your school.

In many cases, issues can be resolved quickly and informally at this stage.

Step 2: Formal complaint submission

If the informal approach is not successful or deemed inappropriate, a formal complaint should be submitted in writing using the complaint form attached.

The written complaint should be made on the form that can be accessed within the Complaints Polcy or shall include the following information:

1. your full name and contact details.
2. a clear and concise description of the complaint, including what happened, when it happened, and who was involved.
3. a description of the data involved and how you believe it was used or accessed inappropriately.
4. any relevant dates, times, or evidence.
5. details of any informal steps you have already taken to resolve the issue.
6. the desired outcome of the complaint.

Step 3: Acknowledgment and investigation

You will receive an acknowledgment of the written complaint within 5 working days of the setting receiving it.

The DC will conduct a thorough and impartial investigation into the complaint.

This may involve:

- interviewing the complainant
- interviewing relevant staff members
- reviewing school records, logs, and policies
- consulting with external legal or data protection experts if necessary

The Rutland Learning Trust will aim to complete the investigation and provide a substantive response within 20 working days of the complaint's acknowledgment. If the investigation is complex and requires more time,

the DC will write to the complainant to explain the reason for the delay and provide a new estimated completion date.

Response

The DC will provide a formal written response to the complainant.

This response will include:

- the findings of the investigation.
- a clear and reasoned conclusion as to whether the DUAA or other data protection laws have been breached.
- details of any corrective action taken or planned to prevent a recurrence of the issue
- the outcome of the complaint, including whether it has been upheld, partially upheld, or not upheld.
- information on the next steps available to the complainant if they remain dissatisfied.

Escalation

If the complainant is not satisfied with the Trust's final response, they have the right to escalate their complaint to the Information Commissioner's Office (ICO).

The ICO's contact details are as follows:

Website: https://ico.org.uk

Telephone: 0303 123 1113

Postal Address: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Policy Review

This policy will be reviewed annually by the Data Protection Officer and the school leadership team to ensure it remains relevant, effective, and compliant with all current legislation.

Date of implementation: September 2026

Review date: Term 4 2027 (as per standard policy schedule)

Data Usage Access Act 2025 – Complaint Form

To be completed by the complainant

Please return this form to the school office email (address can be found on the school website)

Part 1: Complainant's Details

Please provide your full contact information so we can communicate with you regarding your complaint.

Full Name:	
Relationship to the School: (e.g. student, parent/carer, staff member, former student, volunteer, contractor)	
If student:	
year group:	
form/class:	
If parent/carer:	
student's full name:	
student's year group:	
Contact telephone number:	
Email address:	
Postal address:	
Preferred method of contact: (e.g. email, phone or post)	

Part 2: Details of the complaint

Please provide a clear and concise description of your complaint.

Date(s) of the incident(s)	
When did the misuse occur or when did you become aware of it?	
Nature of the complaint	
Please tick all that apply and provide details below:	
Unauthorised access to personal data	
Unauthorised disclosure of personal data	
Incorrect or inaccurate personal data	

Unlawful processing or use of personal data	
Failure to respond to a data subject request e.g. Subject Access Request or Right to Erasure	
Other (please specify)	
Description of the incident(s)	
What happened? Provide a detailed narrative of the events.	
Who do you believe was involved? e.g. specific staff member, department, external party	
What personal data was involved? e.g. name, address, medical information, academic records, disciplinary records, financial details, sensitive personal data	
How do you believe your data was misused or accessed inappropriately?	
Where did the incident occur (if applicable)	
Has there been any previous attempts to resolve this issue informally? e.g. discussed with a teacher, GDPR lead, head of department.	**Yes or No**

If yes, please provide details of who you spoke to and when.	

Part 3: Supporting evidence

Please list and attach any evidence that supports your complaint. This could include:

- emails or correspondence
- screenshots
- dates and times of relevant events
- witness statements (if applicable)

Please list attached documents here:

Part 4: Desired outcome

Please specify the resolution that you are seeking as a result of this complaint?

☐	Investigation and explanation of what happened
☐	Correction of inaccurate data
☐	Deletion of unlawfully processed data
☐	An apology
☐	Assurance that similar incidents will not occur in the future
☐	Other (please specify):

Part 5: Declaration

I understand that the Rutland Learning Trust will investigate this complaint in accordance with its Data Usage Access Act 2025 Complaint Process.

Signature:

Date: