

Complaints Procedure Policy

(Independent School Standards: Paragraphs 32(3), 33 and 34)

Important note: The term 'Spark' or 'Spark Academy Group' applies to both our tutoring and independent school settings, also referred to as 'provision', 'school' or 'organisation' interchangeably.

Guidance & Legislation

- [Independent School Standards Guidance.pdf](#)
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Links to Other Policies

- Child Protection & Safeguarding Policy
 - Admissions Policy
 - Suspensions & Permanent Exclusion Policy
 - Staff Grievance Procedures
 - Staff Disciplinary Procedures
 - SEN Policy
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**We Build Communities
Where Everyone Belongs,
Grows & Thrives.**



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Section 1: About this Policy

Aims

- We believe that our schools provide a high quality of therapeutic education, and we work hard to build positive relationships with all our families
- However, we acknowledge that sometimes parents and carers may become aware of matters which cause them concern
- To encourage resolution of such situations we have adopted this simple and clear complaints procedure
- Our schools aim to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints and deal with them as swiftly as possible
- We aim to resolve any complaint through dialogue and mutual understanding and, in all cases, we put the interests of the pupil above all other issues
- Written records will be kept of all complaints including the stage at which they were resolved and all correspondence, statements and records of complaints will be kept confidential.
- This formal complaints procedure applies in full to parents and carers of current or former pupils for matters arising while the pupil was on roll. We will also consider concerns from others and respond appropriately; however, the formal panel stage is reserved for parental complaints in line with the Independent School Standards.
- 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”

The procedure is devised with the intention that it will:

- usually be possible to resolve problems by informal means (before or at stage one of the procedure)
- be simple to use and understand
- treat complaints confidentially
- allow problems to be handled swiftly
- address all points causing concern
- inform future practice so that the problem is unlikely to recur
- reaffirm the partnership between families and staff as they work together for the good of the pupils in the schools
- ensure that the school's attitude to a pupil would never be affected by a complaint
- discourage anonymous, serial, unreasonable and/or vexatious complaints
- ensure that all staff have opportunities to discuss and understand the school's response to concerns and complaints made by families or other persons
- ensure that any person complained against has equal rights with the person making the complaint

Scope

This policy covers complaints about the **provision, actions or decisions** of Spark Vale Academy (and Spark Academy Tutoring), unless a separate statutory or contractual process applies. Where a different route applies, we will signpost you.

Handled under separate procedures (not this policy):

- **Admissions** (refer to the admissions policy/LA process).
- **SEN statutory processes** (EHC needs assessment, EHCP content/placement) – SEND Tribunal/LA procedures.
- **Safeguarding/child protection (including allegations against staff and allegations made by pupils against other pupils)** – managed under KCSIE and local safeguarding partnership procedures (DSL/LADO). Refer to the Child Protection & Safeguarding Policy.
- **Whistleblowing** – staff/public interest disclosures (see Whistleblowing Policy).
- **Staff grievances/disciplinary matters** – (see Staff Grievance Policy & Staff Disciplinary Policy)
- **Data protection & FOI rights** – Data Protection/FOI policies.

Exclusions and suspensions:

- Decisions are managed under the Suspensions & Permanent Exclusions Policy.
- Complaints about **how** an exclusion or suspension was handled may be raised **after** the school's exclusion process is complete. The panel cannot reinstate a pupil, but will review whether the process was fair, lawful and in line with policy, and may make recommendations to the Proprietor.

Section 2: Complaints & Concerns

The Difference Between a Complaint & Concern

Concern	A 'concern' may be treated as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.
Complaint	A complaint may be generally recognised as 'an expression or statement of dissatisfaction however made, about actions taken or a lack of action'.

- It is in everyone's interest that complaints are resolved at the earliest possible stage.
- Many issues can be resolved informally, without the need to follow formal procedures.
- Spark Academy Group takes informal concerns seriously and make every effort to resolve the matter as quickly as possible.
- However, there will be occasions when complainants want to raise their concerns formally. In those cases, your complaints procedure should be followed.

Who Can Make a Complaint?

- **Parents/carers of current pupils** - covered by this procedure in full (all stages, including the independent panel stage required by ISS Part 7).
- **Parents/carers of former pupils** - may use this procedure for matters that **arose while the pupil was on roll**. Complaints should be raised **within 3 months of the incident** (or, where the pupil has left, **within 3 months of leaving**), unless there are exceptional reasons and a fair investigation remains possible.
- **Members of the public / other stakeholders** - we will consider concerns about our services or facilities and respond appropriately. **However, the formal panel stage is reserved for parental complaints** (current/former) in line with the Independent School Standards.

In accordance with [administrative law principles](#), complainants are given the opportunity to complete the complaints procedure in full, unless there is clear evidence that the complaint meets the [serial complaint criteria](#).

If the complainant contacts the organisation again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent' and the organisation will choose not to respond.

The school will not mark a complaint as 'serial' before the complainant has completed the procedure.

Section 3: Roles & 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
- Ask for assistance as needed
- Treat all those involved with respect
- Not publish details about the complaint on social media

The Proprietor

- Holds overall responsibility for the complaints procedure.
- Will investigate complaints about the Headteacher.
- Will convene and co-ordinate the **Stage 2** independent review panel.
- Ensures that all records of complaints are securely stored and retained in line with statutory requirements.

The Headteacher

- Acts as the main point of contact for complaints.
- Investigates complaints at **Stage 1**, unless the complaint is about the Headteacher.
- Maintains accurate records of investigations, correspondence, and outcomes.
- Ensures that timelines are adhered to and that complainants receive clear written responses.

The Investigator

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

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report to the headteacher or complaints committee which includes the facts and potential solutions

WHO

- The **Headteacher** will investigate the complaint (unless the complaint is about the Headteacher).
- If the complaint is about the Headteacher, the **Proprietor** will take the role of the investigator.

The Complaints Co-ordinator

The complaints co-ordinator will:

- Keep the complainant up to date at each stage in the procedure

Make sure the process runs smoothly by liaising with staff members and the Headteacher.

Be aware of issues relating to:

- Sharing third party information
- Additional support needed by complainants, for example interpretation support or where the complainant is a child or young person
- Keep records

WHO

- In Spark's structure, the **Headteacher** will act as Complaints Co-ordinator for Stage 1.
- At Stage 2, the **Proprietor** will act as Complaints Co-ordinator, ensuring that the panel is convened, papers are circulated, and minutes are recorded.
- This role includes overseeing administrative tasks, acknowledging complaints, and ensuring responses are sent within statutory timelines.

Independent Review Panel

- At **Stage 2**, complaints will be reviewed by a panel of at least three members.
- At least one panel member must be **independent of the management and running of the school**.
- The panel will appoint a **Chair** to lead the meeting.
- Neither the Headteacher nor the Proprietor may serve as Chair of the panel if they are the subject of the complaint.

The panel has the authority to:

- Consider all evidence presented by the complainant and the school impartially.
- Make findings and recommendations of fact.
- Recommend actions to resolve the complaint.
- Ensure that the complainant, Headteacher and Proprietor (where relevant) receive a written record of the outcome.

WHAT WE DO:

Panel setup:

- The Panel will consist of at least three members.
- At least one member must be completely independent of the management and running of the school (i.e. not the Proprietor, Headteacher, employee, or anyone involved in day-to-day management).

Panel membership:

- **Chair:** May be independent or connected to the school, but must not be the Headteacher or Proprietor.
- **School/ Proprietor representative:** usually a senior leader, proprietor's nominee, or other suitable person not directly involved in the complaint..
- **Independent Member:** Retired headteacher, education consultant, local governance professional, or safeguarding specialist.

Where possible, we will ensure the panel has a balance of independence, SEND/education expertise, and community/professional perspective.

Clerk / Administrative Support

- Where appropriate, administrative support may be provided (for example, to take minutes or circulate documents).
- In Spark's structure, this may be undertaken by a nominated administrator under the direction of the Proprietor.

Section 4: Complaints Procedure (Not About the Headteacher)

Stage 1: Sharing Your Concerns Informally

- If you are concerned about anything at our schools you should, in the first instance, discuss the matter with your child's class teacher, their trusted adult or the site's **Headteacher**. Most matters of concern can be dealt with in this way.
- We recommend that you raise the concern as soon as possible so that we can act swiftly. We always want to know if there is a problem, so that we can take action before the problem seriously affects the pupil's welfare and/or progress.
- If you are unable to make the complaint immediately, you must raise the complaint **within three months of the incident (or the last in a series of incidents)**. If the complaint is about a series of related incidents, you must raise the complaint within three months of the last incident.
- We will consider exceptions to this time frame 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 complaints are made out of term time, we will consider them to have been received on the first school day after the holiday period.
- After hearing the concern we shall act as quickly as we can. Please allow time for any action we may take to be effective. It may be possible to see the teacher, trusted adult and/or site leader straight away but usually it is better to make an appointment so that you can sit and talk things through.
- If at any point we cannot meet the time scales we have set out in this policy, we will:
 - set out new time limits in writing,
 - explain the reason for the delay, and
 - keep you updated until the matter is resolved
- If you are not satisfied after the informal stage, you may move to Stage 2: Formal Complaint.

Stage 2: Making a Formal Complaint

- If you remain dissatisfied, you may make a formal complaint within **7 school days** of the informal outcome. Complaints can be made in writing or by arranging an appointment with the Headteacher.
- If you wish to do so, it is helpful if you can give a brief outline of your concern when you make the appointment. Please outline:
 - Your full name and relationship to the pupil
 - The pupil's full name and date of birth
 - The provision your child attends (Spark Academy Tutoring or Spark Vale Academy)
 - Your email address
 - Your address and postcode
 - Details of your complaint
 - Who you have spoken to and what the response has been so far
 - What actions do you feel might resolve the problem at this stage
 - Attach any supporting documents
- If your complaint is about Spark Academy tutoring services, then your complaint must be written to complaints@spark-academy.co.uk. If your complaint is about Spark Vale Academy (Independent School), then please write to complaints@sparkvaleacademy.co.uk.
- You may have to wait a short time while investigations are carried out.
- Every effort will be made to resolve the situation as quickly as possible; you will be kept updated and will receive a written response within seven school days.
- The headteacher (or designated member of the senior leadership team) will call a meeting to clarify concerns and seek a resolution. You may be accompanied to this meeting and should inform the school of the identity of your companion in advance (due to conflict of interest).
- In certain circumstances, the school may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, the school will notify you as soon as they are aware, so that then you have the opportunity to arrange alternative accompaniment.

WHAT WE DO

The Headteacher or delegated senior leader will:

- acknowledge the complaint,
- arrange a meeting to clarify concerns and seek resolution,
- carry out necessary investigation, and
- provide a written response normally within seven school days, or as soon as reasonably practicable.

Stage 3: Complaints Panel Hearing

If you remain dissatisfied after Stage 2, you may escalate your complaint to a Complaints Panel within 5 school days of the Headteacher's written response.

Panel composition

- The Panel will consist of at least three members, none of whom will have been directly involved in the complaint.
- At least one member will be completely independent of the management and running of the school (i.e. not the Proprietor, Headteacher, employee, or anyone involved in day-to-day management).
- Where possible, membership will balance independence, SEND/education expertise, and a community/professional perspective.

What the Panel does

- The Panel will consider all written evidence **within 20 school days** of receiving the complaint.
- The Panel will review whether the complaint was investigated and addressed in line with this policy and the Independent School Standards.
- **It does not re-investigate the original issues** but focuses on whether the process was fair, proportionate, and properly followed.
- You will be invited to attend the hearing with at least five school days' notice and may bring a friend or family member to support you.

After the hearing

- Following consideration of the evidence, the Panel will reach findings and recommendations. These will be:
 - Communicated in writing to you (and, where relevant, the person complained about) within five school days of the hearing.
 - Provided to the Headteacher and Proprietor.
 - Made available for inspection by the Proprietor and senior leaders.
- The Panel's decision is final.

Record-Keeping & Monitoring

A written record will be kept of:

- All complaints made, whether resolved informally or through a Panel hearing.
- The actions taken at each stage.
- Whether the complaint was upheld, partially upheld, or not upheld.

Records will include copies of all correspondence, notes of meetings and interviews, findings and recommendations.

Complaint records are confidential, but will be available for inspection by the **Proprietor** and **Ofsted**.

Section 5: Complaints Procedure About the Headteacher

This section applies where a complaint is made specifically about the Headteacher. In such cases, the **Headteacher cannot be the decision-maker, investigator, or point of escalation, to ensure fairness and independence.**

Stage 1: Sharing Your Concerns Informally

- Where the complaint concerns the Headteacher, informal resolution with the Headteacher is not appropriate.
- Parents/carers may request an informal discussion with the **Proprietor** to see if the matter can be resolved quickly.

Stage 2: Sharing Your Concerns Formally

- If the complaint is not resolved informally, or the complainant wishes to proceed directly, the complaint must be put **in writing to the Proprietor** at:
complaints@sparkvaleacademy.co.uk

On receiving the complaint, the Proprietor will:

- Acknowledge the complaint in writing.
- Clarify the scope of the complaint and the outcome sought.
- Gather relevant information and evidence.
- Where appropriate, meet with the complainant to discuss the issues in detail.
- Provide a **written response normally within 10 school days** (or as soon as reasonably practicable).

Stage 3: Independent Complaints Panel

- If the complainant remains dissatisfied with the Proprietor's decision, they may escalate the complaint to an **Independent Complaints Panel**.
- This request must be made **within five school days** of the Proprietor's response.

The Complaints Panel will:

- Consist of three members who have not been involved previously.

- Include at least one person who is completely independent of Spark Academy Group.
- Consider the complaint within **20 school days** of receipt.
- Invite the complainant to attend the hearing with at least **five school days' notice**.
- Allow the complainant to bring a companion (family member, friend, or advocate).

After reviewing the evidence, the Panel will issue findings and recommendations. These will be:

- Sent in writing to the complainant, the Proprietor, and (where relevant) the Headteacher, within five school days.
- Made available for inspection by the Proprietor and senior leaders.

Final and binding within the school's procedure.

Record-Keeping & Confidentiality

A written record will be maintained of all complaints about the Headteacher, including:

- The nature of the complaint, actions taken at each stage, and the final outcome.
- Whether the complaint was upheld, partially upheld, or not upheld.
- Records will include all correspondence, notes, and evidence considered.

Records are confidential but may be inspected by the Proprietor, Ofsted, or other authorised bodies.

Section 6: Complaints Procedure About the Proprietor

This section applies if your complaint is specifically about the Proprietor of Spark Academy Group. Because of the **conflict of interest**, such complaints cannot be investigated internally and will go straight to an **Independent Complaints Panel**.

Stage 1: Independent Complaints Panel

- Complaints about the Proprietor must be made in writing and submitted to: complaints@sparkvaleacademy.co.uk
- Once received, the complaint will be referred immediately to the Clerk to the Complaints Panel, who will:
 - acknowledge your complaint in writing,
 - appoint a panel of at least three members who have had no prior involvement, and
 - ensure at least one member is independent of the school and the Proprietor.

The panel will:

- Meet within **20 school days** of the complaint being received.
- Give you at least **5 school days'** notice of the hearing.
- Invite you to attend, with the option to be accompanied by a family member, friend, or advocate.
- The panel will review all written and oral evidence, consider whether the complaint was handled fairly and appropriately, and reach findings and recommendations.

The panel's decision will be:

- Confirmed in writing within **5 school days** of the hearing,
- Sent to you and to the Proprietor
- Made available for inspection by Ofsted or the Department for Education if requested.

A written record of the complaint, findings, and outcomes will be retained securely and monitored in line with statutory requirements.

Further Escalation

- If you remain dissatisfied with the outcome of the school's complaints procedure (including complaints about the Proprietor), you may escalate your concerns externally as outlined in Section 11 of this Policy.

Section 7: Complaints From Members of Public

Members of the public or other stakeholders may raise concerns about our services, facilities, or wider community activities.

How to Raise a Complaint

- Concerns should be sent in writing (by letter or email) to the Headteacher in the first instance.
- If the concern relates directly to the Headteacher, it should be sent to the Proprietor.
- The correspondence should clearly state the nature of the concern and the outcome sought.

How the School will Respond

- The Headteacher or Proprietor will acknowledge receipt within 5 school days.
- The concern will be considered and, where appropriate, investigated. A written response will be provided within **20 school days of acknowledgment**.
- Where the concern can be resolved informally, this will be our first approach.
- The formal complaints panel process described in this policy does not apply to members of the public. However, the school will ensure that all concerns are treated fairly, proportionately, and in line with our duty to safeguard pupils.

Section 8: Summary of Timescales

Stage	Action	Timescale
Informal Concern	Raise with class teacher, trusted adult, or Headteacher. School will act as quickly as possible.	As soon as possible, ideally within a few days.
Stage 1: Formal complaint (not about Headteacher)	Submit to Headteacher in writing (unless about the Headteacher). Headteacher investigates, meets with complainant, and issues written response.	Acknowledgement within 3 school days; written response normally within 7 school days.
Stage 1: Formal complaint about the Headteacher)	Submit directly to the Proprietor. Proprietor investigates and provides written response.	Acknowledgement within 3 school days; written response normally within 10 school days.
Stage 1: Formal complaint about the Proprietor	Goes directly to Independent Complaints Panel. Clerk arranges panel.	Panel convened within 20 school days of receipt.
Independent Complaints Panel	Panel of at least 3 members (including one independent of the school) reviews complaint, invites complainant to a hearing, and issues findings.	Complainant given at least 5 school days' notice of hearing. Panel meets within 20 school days of escalation. Written decision issued within 5 school days of hearing

Section 9: Unreasonable, Serial & Vexatious Complaints

- We are committed to dealing with all complaints fairly and impartially, and will not ordinarily limit the contact complainants have with our schools. However, we do not expect staff to tolerate unreasonable behaviour and will take proportionate action to protect staff and pupils from such behaviour, including that which is abusive, offensive, discriminatory and/or threatening.
- Unreasonable or persistent contact may not necessarily be directly associated with a formal complaint. Complainants should try to limit their communication while the complaint is being progressed. Repeated, excessive, or overlapping correspondence can delay resolution.
- Whenever possible, the Headteacher (in consultation with the Proprietor) will first discuss concerns informally with the complainant before applying an “unreasonable” marking. If the behaviour continues, the Headteacher will write to the complainant explaining why their behaviour is unreasonable and what changes are expected.

Where contact is excessive and disruptive, the school may introduce a communication plan, for example:

- specifying permitted methods of communication, or
- limiting the number or frequency of contacts.
- A complainant who has been advised that their behaviour is unreasonable may request a review of this decision by the **Proprietor. The Proprietor's decision will be final.** Restrictions will be proportionate, time-limited, and reviewed (normally after six months).
- In response to any serious incident of aggression, harassment, or violence, the school will inform the police, notify relevant safeguarding bodies, and communicate its actions in writing. This may include barring an individual from the premises.
- Where the school receives a high volume of complaints about the same issue, especially from individuals unconnected to the school, it may issue a single public response (e.g. via the website) or a standard written reply, provided individual concerns would not add new information.

Examples of unreasonable behaviour include (but are not limited to):

- Refusal to articulate a complaint or identify the outcome sought.
- Refusal to co-operate with the investigation process.
- Insistence on processes incompatible with this complaints procedure.
- Introducing trivial or irrelevant information.
- Making unjustified complaints about staff and seeking their removal.
- Repeatedly raising the same complaint despite previous investigations.
- Refusal to accept findings where the procedure has been properly completed.
- Seeking an unrealistic outcome.
- Making excessive demands on school time by frequent, lengthy, or complicated contact (e.g. multiple emails, especially outside school hours).
- Using threats, intimidation, or abusive/offensive language.
- Providing falsified information.
- Publishing unacceptable material about the school, staff, or pupils on social media or public platforms.

Section 10: Record-Keeping & Monitoring

- The school will record the progress of all complaints, including actions taken at every stage, the stage at which the complaint was resolved, and the final outcome. Records will also include copies of letters, emails, meeting notes and telephone call logs, maintained in a central complaints log.
- These records will be treated as confidential, accessible only to those directly involved in investigating or determining the complaint, or members of the review panel.

Exceptions apply where disclosure is required:

- to the Secretary of State (or their representative),
- to Ofsted during an inspection, or
- where the complainant requests information via a Freedom of Information request or a Subject Access Request under data protection law.
- Complaints records will be retained securely and only for as long as necessary, normally for **six years** after resolution, in line with data protection law and the school's privacy notices.
- The details of a complaint, including names of individuals, will not be shared with the Proprietor in advance of a potential review panel to ensure impartiality. If the Proprietor is aware of the substance of a complaint prior to panel stage, the school will (where reasonably practicable) arrange for an **independent panel** to hear the complaint.
- Complainants may request an independent panel if they believe there is likely to be bias in the proceedings. The Proprietor will consider this request and will not unreasonably withhold consent.
- The Headteacher will review any underlying themes or issues raised by complaints with the Senior Leadership Team, respecting confidentiality, to identify any improvements to procedures or practice. The Proprietor will also review complaints data periodically to ensure lessons are learned and that the complaints procedure remains effective.

Section 11: Escalating Complaints Beyond the School

If you remain dissatisfied with the outcome of the school's complaints procedure (including complaints about the Proprietor), you may escalate your concerns externally.

- **Department for Education (DfE):**

You may refer your complaint to the DfE if you believe Spark Vale Academy is not complying with the **Independent School Standards**. The DfE will normally only consider complaints relating to:

- Education provision
- Pupil welfare, health and safety
- School premises
- Suitability of staff
- Information provided to parents
- The spiritual, moral, social or cultural development of pupils

The DfE does not investigate individual disputes (such as admissions, exclusions, or how a complaint was handled) unless these indicate a failure to meet legal standards.

- In serious cases, the DfE can require the school to take action.
- In urgent cases (e.g. safeguarding, health and safety), the DfE may commission an emergency Ofsted inspection.
- For more information or to submit a complaint:
<https://www.gov.uk/complain-about-school>

- **Safeguarding concerns:**

These can also be raised directly with the **Local Authority Designated Officer (LADO)** or with **Ofsted** (see our Child Protection & Safeguarding Policy).

- **Whistleblowing:**

Concerns about malpractice by staff (including the Proprietor) may also fall under the school's **Whistleblowing Policy**. Staff or parents who reasonably believe wrongdoing has occurred may contact the **DfE Whistleblowing Hotline** or **Ofsted** if they feel unable to raise the issue internally.

