



Horsham  
Learning Alliance

# Complaints Policy (College version)

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September 2025

Reviewed by Executive Team:	[September 2025]
Endorsed by [committee]:	[N/A]
Approved by Board:	[17 September 2025]
Next review	[Summer 2026]

## 1. Introduction

At HLA, we strive to achieve high standards in the discharge of the Trust's responsibilities and to minimise the likelihood of concerns occurring. Where a concern does arise, we shall treat the matter seriously and aim to resolve it quickly, effectively and, where at all possible, to the satisfaction of all parties.

## 2. Who can raise a concern or make a complaint?

2.1 This procedure is relevant to parents or carers of students that are registered at The College of Richard Collyer (hereafter Collyer's). This policy covers all complaints made by dissatisfied students.

2.2 However, any person, including members of the public, may raise a concern or complaint directly to HLA about the Trust and any provision of facilities or services that are provided.

2.3 Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions – see scope of this policy), this complaints procedure will be used.

2.4 Complainants should not approach individual Governors or the Chair of the Local Governing Body (LGB) to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints in the later stages of the procedure.

## 3. The difference between a concern and a complaint

### 3.1 Definitions

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*'.

3.2 Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Collyer's will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

3.3 Complaints about the Trust or any members of the Professional Services teams, Executive Team or those who hold governance roles are handled separately within this policy.

## 4. How to raise a concern or make a complaint

4.1 A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so.

4.2 Complaints against College staff except the Executive Principal should be made in the first instance, to the relevant member of staff.

4.3 Complaints about the Executive Principal or a Local Governor should be referred to the Chair of the LGB, Paul Mittendorfer, via the College offices for the attention of the Director of Governance marked private and confidential.

4.4 Complaints about the Chair of the LGB, Trustee, or the CEO should be addressed to the Chair of the Board of Trustees, via the Trust's offices for the attention of the HLA Director of Governance marked private and confidential. If the complaint relates to the Chair of the Board of Trustees, it should be sent to the Director of Governance and if about the Director of Governance to the Chair of the Board of Trustees directly marked private and confidential.

4.5 Complaints about another member of Trust Professional Services staff should be referred to the CEO in the first instance.

4.5 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. You can also ask a third-party organisation for example like the Citizens Advice to advise you on how to make a complaint.

4.6 We will not normally investigate anonymous complaints. However, the Executive Principal/CEO, Chair of the LGB, or the Chair of the Board of Trustees if appropriate, will determine whether the complaint warrants an investigation.

## 5. Timescales

5.1 In this policy, working days refers to the number of term time operational days excluding weekends and INSET days. For complaints made about a college or school, we will consider complaints made outside of term time to have been received on the first working day after the holiday period of the college or school that it relates to. For complaints about the Trust or Trust Professional Services who are based at the College, this will be based on the College term dates.

5.2 If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on the 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 the complaint results in legal action, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

5.3 Complaints must be raised 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.

## 6. Scope

This procedure covers all complaints about any provision of community facilities or services by Collyer's other than complaints that are dealt with under other statutory procedures, including those listed below:

Exceptions	Who to contact
Admissions	Concerns about admissions should be handled through the admissions appeals process
Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under the Safeguarding & Child Protection Policies and Procedures and in accordance with relevant statutory guidance  If you have serious concerns, you may wish to contact the Integrated Front Door (formerly MASH) 01403 229 900 Or the Local Area Designated Office (LADO)
Exclusion of children from college or school	Complaints about the application of the Behaviour Policy including exclusions can be made directly to the college or school
SEND	Statutory assessment of special educational needs should be referred to the relevant local authority
Whistleblowing	There is an internal whistleblowing procedure for all employees, including temporary staff and contractors which can be found here ( <a href="https://www.hla.education/Policies/">https://www.hla.education/Policies/</a> )
Staff Grievances	Complaints from staff will be dealt with under Staff Grievance Procedures
Staff Conduct	Complaints about staff will be dealt with under the 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

## 7. Resolving complaints

At each stage in the procedure, we aim 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 current policies in light of the complaint
- an apology

## 8. Confidentiality and Data Protection

8.1 All complaints will be handled in the strictest confidence by the Trust and in accordance with the principles of the Data Protection Act 2018 and the General Data Protection Regulations (GDPR). Information should be retained for six years from the date of the complaint, in line with guidance from the Information and Records Management Society ([www.irms.org.uk](http://www.irms.org.uk)). The complainant should be informed that this will be done.

8.2 It is also expected that complainants will keep their complaint private and confidential. In particular, complainants are not expected to discuss complaints publicly via social media (for example, Facebook, X (formerly Twitter) and WhatsApp) or other media channels.

8.3 The Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 may request access to complaints documentation.

## 9. Relevant legislation

Key legislation relevant to this policy is the [Education \(Independent School Standards\) \(England\) Regulations 2014](#). This legislation mandates that all academy trusts must publish a written complaints policy that details the procedures for handling complaints that meets the standards of the legislation.

Academy trusts are expected to act in accordance with the duties under educational law and in line with their Funding Agreement.

The Department for Education (DfE) publishes best practice guidance and a model document for academy trusts that this policy is based, including guidance on managing serial and persistent complaints.

## 10. Related Documentation

This policy links to the following policies and procedures:

- Whistleblowing Policy
- Admissions Policies
- Data Protection Policy
- Safeguarding and Child Protection Policies and Procedures
- Staff Codes of Conduct
- Staff Grievance and Disciplinary Policies
- Member/Trustee/Governor Code of Conduct

# The Complaints Procedure

## Stage 1

It is to be hoped that most concerns can be expressed and resolved on an informal basis. In the first instance, any concerns should be raised with the appropriate member of staff at Collyer's.

If you have difficulty discussing a concern with a particular member of staff we will respect your views. In these cases, we will refer you to a member of the Senior Leadership Team (SLT). At the conclusion of their investigation, the person investigating the complaint will provide a written response within 10 working days of the date of receipt of the complaint.

Full-time students who have such a cause for concern should normally, in the first instance, speak to their tutor about it as soon as possible after the issue emerging. Where the concern relates to their relationship with the tutor they might prefer to speak to their Head of House.

If the issue remains unresolved, the next step is to make a Stage 2 complaint.

## Stage 2

If you remain dissatisfied with the outcome or you feel that your complaint is very serious you may wish to contact the Executive Principal (unless the complaint is about them directly) in person or by writing to [admin@collyers.ac.uk](mailto:admin@collyers.ac.uk). This should be done within 5 working days of the complaint.

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

Within this response, the Executive Principal will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Executive Principal can consider whether a face to face meeting is the most appropriate way of doing this where mediation may help with reconciliation.

*Note: The Executive Principal may delegate the investigation to another member of SLT but not the decision to be taken.*

During the investigation, the Executive Principal (or their 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 Executive Principal will provide a formal written response within 15 working days of the date of receipt of the complaint.

If the Executive Principal or 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 Collyer's will take to resolve the complaint.

The Executive Principal 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 Executive Principal or individual Governor, the matter should be referred to the Chair of the LGB, Paul Mittendorfer. If the matter is deemed to be of a serious nature, the Chair of the LGB may contact the Chair of the Board of Trustees.

If the complaint relates to the Chair of the LGB, the Chair of the Board of Trustees or a suitably skilled Trustee will be appointed to complete all the actions at Stage 2.

Further information about who to complain to is available in sections 4.3-4.4.

### 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 Complaint Panel will be convened consisting of three people who were not directly involved in the matters detailed in the complaint with one panel member who is independent of the management and running of the College. This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the Governance team, via the College office, within 10 working days of receipt of the Stage 2 response.

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

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

The Governance team will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 15 working days of receipt of the request. If this is not possible, an anticipated date will be provided and the complainant kept informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Governance team 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 or Deputy/Vice Chair or the majority of the LGB Stage 3 will be heard by the Trustees.

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 panel hearing. However, there may be occasions when legal representation is appropriate. For instance, if an employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation. Representatives from the media are not permitted to attend. Electronic recordings of meetings are not permitted.

*Note: 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 HR staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.*

At least 10 working days before the meeting, the Governance team 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 working days before the meeting

Any written material will be circulated to all parties at least 5 working days before the date of the meeting. The panel 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 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 panel will consider the complaint and all the evidence presented. The panel 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 panel will:

- Decide on the appropriate action to be taken to resolve the complaint
- Where appropriate, recommend changes to the College systems or procedures to prevent similar issues in the future

The Chair of the Panel will provide the complainant and Collyer's with a full explanation of their decision and the reason(s) for it, in writing, within 10 working days.

The decision made at Stage 3 is final. The letter to the complainant will include details of how to contact the Trust Board (if the complainant feels that this policy was not followed) or the DfE if they are dissatisfied with the way their complaint has been handled. The DfE will not normally reinvestigate the substance of complaints or overturn any decisions. They will consider whether Collyer's has adhered to education legislation and any statutory policies connected with the complaint. The complainant can refer their complaint to the DfE via this [online form](#).

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 Collyer's will take to resolve the complaint. In these events, the Chair of the Board of Trustees will be notified.

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 college/school premises by the Executive Principal, Headteacher or the Trust Board.

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.

## Complaints about the Trust

If a complainant wishes to complain directly about the Trust or Trust Professional Services staff then the complaint should be sent to the CEO to be investigated.

The CEO will write to the complainant acknowledging the complaint within 5 working days of the date that the written request was received. The acknowledgement will confirm that the complaint will now be investigated under Stage 2 of this complaints procedure 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 working days of the date that the letter was received. If this time limit cannot be met, the CEO will write to the complainant explaining the reason for the delay and providing a revised date.

If the complaint concerns the CEO or a Trustee, the complaint should be investigated by the Chair of the Board of Trustees. If a formal complaint is received about the Chair, the complaint will be referred to the Director of Governance.

*Note: 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 Director of Governance asking for the complaint to be heard before a Complaint Panel, within 10 working days of the Stage 2 response.

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

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

The Director of Governance will aim to convene a meeting within 15 working days of receipt of the Stage 3 request and will write to the complainant to inform them of the date of the meeting. If this is not possible, the Director of Governance will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Director of Governance 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 of the Board of Trustees and Deputy Chair or the majority of Trust Board, it will be heard by a completely independent 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 Trust meaning 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 panel meeting. However, there may be occasions when legal representation is appropriate.

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

*Note: 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.

At least 10 working days before the meeting, the Director of Governance 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 working days before the meeting

Any written material will be circulated to all parties at least 5 working days before the date of the meeting. The panel 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 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 panel will consider the complaint and all the evidence presented. The panel 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 panel will:

- Decide on the appropriate action to be taken to resolve the complaint
- Where appropriate, recommend changes to systems or procedures to prevent similar issues in the future

The Chair of the Panel will provide the complainant and the Trust with a full explanation of their decision and the reason(s) for it, in writing, within 10 working days.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the Trust will take to resolve the complaint.

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained

about. Furthermore, they will be available for inspection on the Trust premises by the CEO or the Trust Board.

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.

If the complainant believes the 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 DfE after they have completed Stage 3.

## Serial or Persistent Complaints

If the complainant contacts the college, school or Trust repeatedly about the same matter, then such communication may be viewed as 'serial' or 'persistent' and the college, school or Trust may choose not to respond. A complaint will not be marked as 'serial' before the complainant has completed the procedure.

The decision to stop responding will not be taken lightly and will only be taken on the advice of the Trust, the CEO and/or the Chair of the Board of Trustees if they believe that all reasonable steps have been taken to address the complainant's needs and that the college, school or Trust's position has been stated clearly and despite this, the complainant is refusing to accept the decision making the same points repeatedly.

## Unreasonable Complaints

The majority of people with complaints or concerns behave reasonably in pursuing their complaint. This means that they:

- Treat all staff and property with courtesy and respect
- Engage with staff to resolve concerns
- Respect the needs of students and staff
- Do not use intimidating/aggressive behaviour or inappropriate language towards staff
- Recognise the time constraints under which members of staff work and allow a reasonable time for the Trust to respond to a complaint
- Recognise that resolving a specific problem can sometimes take some time
- Follow the Trust's complaints procedures

Unreasonable behaviour may be seen in a single incident or through a persistent approach that interferes with the consideration of the complaint and/or ability of staff to undertake legitimate Trust business including:

- Malicious, aggressive, intimidating, threatening, offensive language or actions which appear to be targeted and/or cause ongoing distress to staff
- Complaints where the complainant has no view about what would constitute a satisfactory outcome and/or no intention to resolve the complaint
- Seeking an unrealistic outcome

- Making excessive demands on time and resources by frequent and lengthy and complicated contact whilst a complaint is being dealt with and expecting immediate responses
- Changing the basis of the complaints as it proceeds or changing statements made at an earlier stage and use of falsified information
- Making unjustified personal comment or complaint about staff who are trying to assist and/or seeking to have them replaced
- Refusing to accept that certain issues are not within the remit of the college/school//Trust or scope of the complaints procedure
- Refusing to cooperate with the investigation process to resolve a complaint or insisting a complaint is dealt with in ways which are incompatible with the policy
- Submitting repeat complaints with minor amendments to make them new complaints
- Use of Subject Access Request (SAR) and Freedom of Information Act (FOIA) requests excessively and unreasonably
- Publishing unacceptable information in a variety of media such as on social media websites and in newspapers

The CEO may assess a complainant as unreasonable ensuring there is sufficient evidence to justify the decision. Wherever possible, the CEO will discuss concerns with the complainant before applying any further sanctions. If the behaviour continues or is more serious, the CEO will put in writing their decision and the way that future complaints will be dealt with. Any restrictions imposed will be appropriate and proportionate. A serious incident or threat of violence or aggression will normally constitute a ban from Trust premises and may involve police. This will be put in writing immediately.

The following actions may be taken singularly or in combination, depending on the particular circumstances of the case:

- Insisting that no member of staff should meet the complainant on their own or notes will be taken and agreed in the meeting in the interest of all parties
- Restricting telephone calls from the complainant to specified days and times, possibly to a nominated contact
- Requiring that all future contact with the college/school/Trust is in writing, except in emergencies
- Banning the complainant from the Trust premises where the complainant's behaviour constitutes a nuisance or disturbance, with any
- Consideration of legal action

New and substantive issues from people who have been deemed unreasonably persistent complainants will be treated on their merits and a reply will be sent to the complainant.