

The Olympus Academy Trust Complaints Policy

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Introduction, Definitions and Interpretation

Where the following words of phrases are used in this policy:

- references to '**Trust**' means The Olympus Academy Trust;
- references to '**School**' means any school in the Trust;
- references to '**Parent**' means a natural or adoptive parent of a Learner (irrespective of whether they are or have ever been married, with whom the Learner lives, or whether they have contact with the Learner) as well as any person who is not a natural or adoptive parent of a Learner, but who has care of, or parental responsibility for, the Learner;
- references to '**Learner**' means a registered pupil of any of the schools in the Trust, or a prospective pupil, or former pupil who was a registered pupil within the past three months;
- references to '**school days**' mean any day that the school is open to pupils during term time (this does not include school holidays or inset days). For complaints made directly to the Trust, the term dates for Bradley Stoke Community School will apply.

This policy has been developed with regard to the Education (Independent School Standards) Regulations 2014 and the ESFA's best practice guidance on complaints and controlling school premises (in force in May 2021).

Staff will receive regular training on the contents of this Complaints Policy, and will contact the Trust Complaints Coordinator for if they have queries or require advice.

The date that a complaint is received will be the date that sufficient information has been received from the Complainant to enable the complaint to be considered/investigated.

This policy is based upon best practice and policy including ESFA's best practice guidance ([link here](#)) as well as guidance on controlling school premises ([link here](#)).

Relevant staff will receive regular training on the information contained within the Complaints Policy and will notify the Trust Complaints Coordinator for any further advice.

1. Who Can Make a Complaint?

- 1.1 This complaints procedure is limited to Parents of registered pupils of the School, as well as Parents of prospective pupils of the School, and Parents of pupils who were registered pupils of the School within the past three months. They will be referred to in this policy as the '**Complainant**'.
- 1.2 The complaint must be about any provision of education, facilities or services that the School provides.
- 1.3 This policy does not apply to matters for which there are separate statutory procedures, as set out in section 17 below.
- 1.4 If anyone other than a Parent has a concern about a School's operation or site, they should raise this in writing to: complaints@olympustrust.co.uk, setting out their concerns and the action sought. Any concerns raised will be investigated and responded to separately to the procedures outlined in this policy.

2. The Difference Between a Concern and a Complaint

- 2.1 A concern may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.
- 2.2 A complaint may be defined as 'an expression of dissatisfaction, however made, about actions taken or a lack of action'.
- 2.3 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. However, all concerns and complaints are dealt with in line with this policy. Care will be taken to ensure that they are not treated any differently, even if they may be labelled as such.

3. How to Raise a Concern or Make a Complaint

- 3.1 A concern or complaint can be made in person, in writing or by telephone in accordance with the procedures set out in this policy.
- 3.2 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 such as Citizens Advice to help you.
- 3.3 If you decide not to use the provided complaint form, then you must include:
 - full details all matters complained about;
 - the desired resolution/outcome;
 - all relevant documents;
 - full contact details.
- 3.4 In accordance with equality law, we will make reasonable adjustments for disabled Complainants and others involved in the process, to ensure full access and engagement with the complaints procedure. For instance, providing information in alternative formats, assisting Complainants in raising a formal complaint or holding meetings in accessible locations.

4. Anonymous Complaints

- 4.1 We will not normally investigate anonymous complaints, unless the subject matter makes it appropriate to do so.

5. Timescales

- 5.1 Wherever possible, the Complainant should 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. Any matter raised more than three months after the event will only be considered in exceptional circumstances, and the Complainant should therefore confirm the reasons for the delay in raising it in their complaint.
- 5.2 There may be circumstances where delays to the published timescales for responses may be necessary. In these instances the parent will be notified of the delay, as well as the reason for the delay, in accordance with Section 20 below.
- 5.3 If other bodies are investigating/or dealing with aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on the School's ability to adhere to the timescales within this procedure and/or result in the procedure being suspended until those public bodies have completed their investigations. If this happens, you will be informed and given proposed new timescales.
- 5.4 If a Complainant commences legal action against The Olympus Academy Trust in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

6. Complaints Received Outside of Term Time

- 6.1 We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

7. Resolving Complaints

- 7.1 At each stage in the procedure, the aim of the School/Trust is to resolve the complaint.
- 7.2 Where 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.

8. Withdrawal of a Complaint

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

9. Stage 1 – Informal Complaints

- 9.1 It is to be hoped that most concerns can be expressed and resolved on an informal basis.
- 9.2 Concerns/informal complaints should be raised with either the class teacher, year head, subject head or Headteacher.
- 9.3 An informal complaint will be acknowledged by telephone, email or letter within three school days of receipt, indicating the action that is being taken and the likely timescales. Such action may include an investigation and/or a meeting with the Complainant. Wherever appropriate, the school will ask the parent at the earliest stage what they think might resolve the issue.
- 9.4 The Complainant will receive a verbal or informal written response usually within fifteen school days of the date the concern or informal complaint was raised or, if a meeting with the Complainant is held, the date of the meeting.
- 9.5 If the issue remains unresolved, the next step would be to make a formal complaint under stage 2 of this policy.
- 9.6 Complainants should not approach individual Governors or Trustees to raise concerns or informal complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints during later stages of the procedure.

10. Stage 2 – Formal Complaints

- 10.1 Formal complaints must be made in writing to the Headteacher (unless they are about the Headteacher or specified others, as outlined below), via the school office. This may be done in using the complaint form found at the end of this policy (if desired) and should include a copy of any relevant documents, the Complainant's name and full contact details and details of the grounds of complaint and the outcome desired.
- 10.2 Complaints about the Headteacher or member of the School Improvement Committee must be made to the Trust Complaints Coordinator, via the school office or by email to complaints@olympustrust.co.uk.
- 10.3 If the complaint is about the Headteacher, or a member of the School Improvement Committee (including the Chair or Vice-Chair), a member of the Trust Executive Leadership Team will be appointed to complete all the actions at Stage 2.
- 10.4 Complaints about the Chair of Trustees, any individual trustee or the whole Trust Board should be addressed to the Complaints Coordinator via complaints@olympustrust.co.uk. Please mark them as Private and Confidential.

- 10.5 Complaints about the Chief Executive Officer (CEO), should be addressed to The Chair of Trustees, Olympus Academy Trust, c/o Bradley Stoke Community School, Fiddlers Wood Lane, Bradley Stoke, BS32 9BS. Please mark them as Private and Confidential. Alternatively, they can be emailed to complaints@olympustrust.co.uk where they will be treated confidentially.
- 10.6 The date the complaint is received will be recorded and receipt of the complaint will be acknowledged in writing (either by letter or email) within three school days.
- 10.7 Within this response, the Complainant may be asked for clarification of the nature of the complaint, asked what remains unresolved and what outcome the Complainant would like to see. Consideration will be given as to the most appropriate manner to investigate the complaint and whether a face to face meeting is the most appropriate way of doing this.
- 10.8 The investigation may be delegated to a senior member of staff or an independent third party, as appropriate.
- 10.9 During the investigation, the investigator will:
- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
 - ensure they keep a written record of any meetings/interviews in relation to their investigation;
 - where the investigation has been delegated to a senior member of staff or independent third party, they will prepare a report on the investigation to be considered by the Headteacher, Chair of Trustees or CEO. A formal written response will be sent to the Complainant within fifteen school days of the date of receipt of the complaint. If a meeting with the Complainant takes place, the written response will be provided within fifteen school days of the meeting date.
- 10.10 If this deadline is unable to be met, the timescales will be extended in accordance with section 17 below.
- 10.11 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 school or The Olympus Academy Trust will take to resolve the complaint.
- 10.12 The response will set out for the Complainant how they can escalate their complaint to Stage 3 of this policy, should they remain dissatisfied with the outcome of Stage 2.

11. Stage 3 – Complaint Panel Hearing (CPH)

- 11.1 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 CPH. This is the final stage of the complaints procedure.

- 11.2 The Complaint Panel will consist of three members who have no prior connection with the complaint. At least one of these members will be independent of the management and running of the school. Two of the panel members will normally be Governors or Trustees of the Trust, who have no prior knowledge or connection with the complaint, have no conflict of interests and are able to act impartially.
- 11.3 A request for a CPH will only be considered following completion of Stage 2 of the Complaints Procedure. It will not consider any new areas of complaint, which were not previously raised at Stage 2 of the Complaints Procedure (except where these relate to the way in which the complaint was dealt with at Stage 2).
- 11.4 A request to escalate to Stage 3 must be made to the Trust Complaints Coordinator, via complaints@olympustrust.co.uk, within ten school days of receipt of the Stage 2 response. The Complainant should provide details as to why they remain dissatisfied and any additional documents they would like the panel to consider. If assistance with the request is required, for example because of a disability, please inform the Trust Complaints Coordinator who will be happy to make appropriate arrangements
- 11.5 Requests received outside of this time frame will only be considered in exceptional circumstances. A Complainant may withdraw their request for a CPH at any point up to and including the intended date of the CPH.
- 11.6 The Trust Complaints Coordinator will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within three school days.
- 11.7 The Trust Complaints Coordinator will then write to the Complainant to inform them of the date of the CPH. They will aim to convene a meeting within fifteen school days of receipt of the Stage 3 request. If this is not possible, the Trust Complaints Coordinator will provide an anticipated date and keep the Complainant informed.
- 11.8 The Complainant may bring someone along to the CPH to provide support. This can be a relative or friend. The CPH is an internal process, not legal proceedings, and legal representation is therefore usually unnecessary.
- 11.9 If the Complainant brings a relative or friend who is legally qualified, the Complainant must notify the Trust Complaints Coordinator at least three school days in advance of the CPH. The Chair will speak to that person before the CPH commences to make it clear that they are not there to act as an advocate or legal representative, and will only be permitted to address the Complaint Panel when invited by the Chair of the Complaint Panel. The Complainant should take this into account when deciding who they want to bring with them.
- 11.10 Representatives of or from the media are not permitted to attend a CPH.
- 11.11 Where possible, at least ten school days before the meeting, the Trust Complaints Coordinator will:
- confirm and notify the Complainant of the date, time and venue of the CPH, ensuring that these 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 Complaint Panel at least five school days before the meeting.

- Where possible, the complaint documentation will be circulated to all parties at least three school days before the CPH. Late documentation will only be circulated and considered where the Complaint Panel view it as directly relevant and significant in the context of the complaint, with the other party being given reasonable time to consider it before the CPH commences.
- 11.12 Where possible, the complaint documentation will be circulated to all parties at least three school days before the CPH. Late documentation will only be circulated and considered where the Complaint Panel view it as directly relevant and significant in the context of the complaint, with the other party being given reasonable time to consider it before the CPH commences.
- 11.13 The Complaint Panel will not normally accept as evidence recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded. This will be a matter for the Complaint Panel to determine on a case by case basis, depending on the significance of the subject matter of the recording in the context of the complaint.
- 11.14 The Complaint Panel will not consider any new complaints at the CPH, or consider additional evidence which is unrelated to the complaints under review. New complaints must be dealt with from Stage 1 or 2 of the procedure, as appropriate.
- 11.15 The CPH will be held in private, with a person appointed to take the minutes. The Complaint Panel will appoint one of their number to be their Chair during the proceedings. The CPH will not normally be recorded unless this is deemed to be a reasonable adjustment for a disability of the Complainant or other person involved. All parties will be notified in advance if the CPH is to be recorded, and this will be recorded in the minutes taken.
- 11.16 All those present during the CPH are expected to show courtesy, restraint and good manners or, after due warning, the CPH may be adjourned or terminated by the Chair. Any person who is dissatisfied with any aspect of the way the CPH is conducted must say so before the proceedings go any further and his/her comment will be minuted.
- 11.17 If the Complainant decides not to attend the CPH without any or good reason, the Complaint Panel will consider the complaint in their absence and will make findings and recommendations about the complaint in the usual way. The CPH will be adjourned for a short period while reasonable enquiries are made to establish the reason why a Complainant who was expected to attend has failed to do so.
- 11.18 The Complaint Panel will consider the complaint and all the evidence presented. This will almost always include representations from the Stage 2 decision maker and the Complainant, along with any witnesses either party brings.
- 11.19 The Chair may, at their discretion, adjourn the CPH if they consider it appropriate to do so. This may include an adjournment for welfare reasons, to enable additional information to be obtained and/or considered or for the parties to take legal advice on a specific issue arising.
- 11.20 Following the CPH, the Complaint Panel will:
- make findings, on a balance of probabilities;
 - make recommendations, as appropriate.

- 11.21 As part of this process, the Complaint Panel will:
- decide on any appropriate action to be taken to resolve the complaint;
 - recommend changes to the School's systems or procedures to prevent similar issues arising in the future.
- 11.22 The Chair of the Complaint Panel will write to the Complainant to confirm the outcome of the CPH, with a full explanation of their decisions and the reasons for these, within ten school days of the CPH.
- 11.23 A copy of the letter to the Complainant will be sent to the School and/or Trust, and any person complained about. It will also be available for inspection on school's premises by the Trust and the Headteacher.
- 11.24 Once the CPH has taken place and the Complainant notified of the outcome, the complaint procedure is exhausted and the complaint file will be closed. Complainants are not permitted to raise the same or largely similar complaints again under this policy.

12. Referrals to the Education and Skills Funding Agency (ESFA)

- 12.1 If the Complainant believes the School and/or Trust did not handle their complaint in accordance with this policy, or acted unlawfully or unreasonably during the process, they are able to make a referral to the ESFA after Stage 3 has concluded.
- 12.2 The ESFA will not normally reinvestigate the substance of complaints or overturn decisions made by the School, Trust or Complaint Panel - they will consider whether the School or Trust has followed this policy, legislation and statutory guidance.
- 12.3 The Complainant can refer their complaint to the ESFA online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Academy Complaints and Customer Insight Unit
Education and Skills Funding Agency
Cheylesmore House
5 Quinton Road
Coventry
CV1 2WT

13. Publication and Availability

- 13.1 This policy is published on the Trust's website. It can be made available in hard copy, in large print or other accessible formats on request, if required.

14. Serial and Persistent Complaints

- 14.1 There will be occasions when, despite all stages of the complaint procedure having been followed, the Complainant remains dissatisfied. If a Complainant tries to re-open the same issue, the School/Trust can inform them that the procedure has been completed and that the matter is now closed.

- 14.2 If the Complainant contacts the School/Trust again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent' and the School/Trust can choose not to respond. The complaint cannot be marked as 'serial' before the Complainant has completed the procedure.
- 14.3 The School/Trust will not mark the Complainant as 'serial' for exercising their right to refer their complaint to their MP, regardless of which stage the complaint has reached.
- 14.4 The School/Trust will not refuse to accept further correspondence or complaints from an individual they have had repeat or excessive contact with. The application of a 'serial or persistent' marking should be against the subject or complaint itself rather than the Complainant.
- 14.5 After the School/Trust has done all of the following steps, they may stop responding to the serial Complainant:
- taken every reasonable step to address the Complainant's concerns;
 - the Complainant has been given a clear statement of the Trust's position and their options;
 - the Complainant contacts the Trust repeatedly, making substantially the same points each time.
- 14.6 The case to stop responding is stronger if:
- their letters, emails, or telephone calls are often or always abusive or aggressive;
 - they make insulting personal comments about or threats towards staff;
 - the School/Trust has reason to believe the individual is contacting the Trust with the intention of causing disruption or inconvenience.

15. Unreasonable Complaints

- 15.1 The School/Trust will aim to deal fairly, impartially, honestly, consistently and appropriately with all Complainants. The School/Trust believes that all Complainants have the right to be heard, understood and respected. The Trust also considers that its employees have the same rights. The School/Trust will not tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening
- 15.2 The School/Trust will exercise caution when determining whether a complaint is unreasonable. In particular, with consideration of the following:
- even if a complaint falls within one of the definitions outlined below, this does not automatically make it an unreasonable complaint, and the School/Trust should reach a balanced conclusion in determining whether the complaint is unreasonable;
 - the bar for dismissing complaints will be set high, and the decision to reject the complaint will itself be open to review;

- if the School/Trust dismisses a complaint, it will be prepared to show the evidence it considered in reaching a conclusion to the ESFA, Ofsted or a similar regulatory/inspection body.

15.3 A complaint may be regarded as unreasonable when the person making the complaint:

- 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 while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- introduces trivial or irrelevant information which the Complainant expects to be taken into account and commented on, or 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 Trust's complaint procedure has been fully and properly implemented and completed;
- seeks an unrealistic outcome;
- makes excessive demands on school/Trust time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

15.4 A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;

- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as on social media websites and in newspapers.

15.5 A complaint may also be considered unreasonable if it is manifestly unjustified, inappropriate, or an improper use of formal procedure. In assessing this, the Trust shall have regard to all the circumstances of the case and the nature of the complaint itself rather than the nature of the Complainant. In assessing all of the circumstances of the case, the Trust will consider a range of factors including:

- whether a complaint has reasonable foundation;
- the history and context of the complaint (and any evidence where relevant);
- whether the time and cost of investigating the complaint is proportionate to the issue(s) complained of;
- whether an investigation of the complaint is likely to cause a disproportionate or unjustified level of disruption, irritation or distress;
- unexplained delay in raising a complaint or issue;
- if the purpose of the complaint is to obtain an outcome which is unavailable via the complaints procedure, such as a claim for compensation, damages or a refund of fees paid;
- any evidence of a complaint being brought for an improper purpose.

15.6 The decision to dismiss an 'unreasonable' complaint will be reviewed independently.

15.7 Where behaviour is so extreme that it threatens the immediate safety and welfare of the school's staff or pupils, The Trust will consider reporting the matter to the police or taking legal action. In such cases, the Trust may not give the Complainant prior warning of that action. The school / Trust may also withdraw the Parent's implied permission to be on the Trust's site(s).

15.8 Where, because of the frequency or nature of their contact with the Trust, a Complainant hinders the School/Trust's consideration of their complaint, or other complaints, it may be appropriate to put in place a communication strategy and/or implement a single point of contact for that Complainant.

16. Complaint Campaigns

16.1 The School/Trust may at some time find itself the focus of a complaint campaign and receive large volumes of complaints all based on the same subject matter, and/or from persons unconnected with the School/Trust.

16.2 In these cases, the School/Trust may send a standard response to all Complainants and/or may publish a single response on the Trust's website.

17. Deviation from the Complaints Procedure

- 17.1 Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions, admissions or special educational needs, etc.), we will use this complaints procedure. This policy applies to all schools in the Trust.
- 17.2 Deviation from the Complaints policy may happen where it is reasonable to do so in order to administer the complaint. Adjustments to the time for each stage of the complaint may also sometimes be necessary. In both of these instances, the Trust will explain the reason for it, with the intention for the complaint to be handled in a reasonable manner at all times. This will be done in accordance with the statutory duties under the Education (Independent School Standards) Regulations 2014.

18. Record Keeping and Confidentiality

- 18.1 All records created in accordance with this policy are managed in accordance with the School/Trust's policies that apply to the retention and destruction of records.
- 18.2 The School/Trust will maintain a written record of all formal complaints, including the following:
- whether they were resolved at Stage 2 or Stage 3;
 - the main issues raised, the findings and any recommendations;
 - the action taken by the school/Trust as a result of the complaints (regardless of whether they are upheld);
 - in accordance with data protection principles, details of individual complaints will be kept only for as long as is considered to be reasonably necessary in the circumstances;
 - correspondence, statements and records relating to individual complaints will be kept confidential, except where access is requested by the Secretary of State or where disclosure is required in the course of an inspection or under other legal authority or court order;
 - a complaint about the fulfilment of the School/Trust's EYFS requirements will be made available to Ofsted on request.

Complaint Form

The use of this form is not compulsory, but may be helpful. If you choose to use it, please complete and return it to the Headteacher via the school office or to the Trust Complaints Coordinator via complaints@olympustrust.co.uk, who will acknowledge receipt and explain what action will be taken.

Your name:
Learner's name (if relevant):
Your relationship to the learner (if relevant):
Address: Postcode: Day time telephone number: Evening telephone number: E-mail address:
Please give details of your complaint, including whether you have spoken to anybody at the school/Trust about it.

What actions do you feel might resolve the problem at this stage?

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

Signature:

Date:

Office use

Date acknowledgement sent:

By whom:

Complaint referred to:

Action taken:

Date: