Complaints Procedure

Version control

Scope: Applicable to all Trust Schools	
Date approved by the Board:	
Review date:	Summer term 2024
Union Status:	N/A
Statutory or non-statutory:	Statutory
Author/Reviewer:	Phil Palmer - CEO

Introduction

This policy applies to any matter which has been raised with a Trust school by parents of pupils as a matter of concern but which has not been capable of resolution informally and which the complainant or the school considers should be dealt with on a formal basis. Note: usually matters relating to admissions and exclusions, statutory SEN assessments and matters involving child protection involvement, will not be considered as these issues have their own appeal or complaint processes. Where necessary the school will exercise its discretion. Whistleblowing and staff grievances and discipline matters will not be considered under this policy.

This policy will be made available to parents of pupils.

For the avoidance of doubt this policy does not apply to those who **are not** parents of pupils at a school within the Trust. Complaints that fall in to this category will be dealt with as follows: Complainants should first attempt to address their complaint to the school informally. Only if this fails to resolve the situation should the complaint be submitted in writing to the Head Teacher, if the complaint is about the school in general or to the Chair of Governors if the complaint is about the Head Teacher specifically. Receipt of the complaint will be acknowledged before considering it and issuing a final written response.

Stage 1 – Informal Resolution

Generally, it is expected that where the matter relates to a pupil it will have been raised with the pupil's class teacher or the Head Teacher /school senior leader before a request is made to deal with it under this policy. If a matter is not resolved at the informal stage, then a complainant may take it to the formal stage.

It is a precondition to the operation of this policy that the complainant will have made reasonable attempts to seek an informal resolution and will have acted in relation to the matter in a reasonable and measured way. The Chair of the Board of Directors will have discretion, which will be exercised reasonably, not to allow a complaint to be pursued where this precondition has not been met.

Where the matter is not resolved at the informal stage, the parent/carer may elevate it to the formal stage.

Stage 2 – Formal Resolution at Local Level: Investigation by a Nominated Individual

1. The complainant must put the complaint in writing, addressed to the Head Teacher of the school, setting out briefly the facts and stating what it is that the complainant considers should have been done or where the school has not met reasonable expectations.

2. An investigation will be carried out by a nominated individual identified by the Head Teacher or Chair of Governors, as appropriate, who may offer the complainant a meeting.

The investigator will speak to others involved. Whenever reasonably possible, any meeting with the complainant will take place within 15 school days of the written complaint being received.

3. The investigator will put her/his findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done within 15 school days of any meeting with the complainant; if no meeting is arranged it will be within 25 school days of the written complaint being received.

Where the complainant remains dissatisfied, s/he may request the complaint is dealt with at Stage 3. Any such request **must** be set out in writing, stating where the complainant remains dissatisfied and lodged within **10** school days of the complainant receiving the findings in writing.

Any complaint relating to the Head Teacher of the school must be raised in the first instance with the eoexecutive principal who will, if an informal resolution cannot be reached, designate a member of the local governing body to investigate the complaint as per **Stage 3**. **Stage 2** does not apply to a complaint against the Head Teacher of the school.

Any complaint relating to the CEO of the school trust must be raised in the first instance with the chair of the trust board who will, if an informal resolution cannot be reached, designate a member of the board of trustees to investigate the complaint as per **Stage 3**. **Stage 2** does not apply to a complaint against the CEO.

For complaints against members of the local governing body please note the process to follow set out at the end of this policy.

Stage 3 – Formal Resolution: Local Governing Body

1. The complainant must put the complaint in writing, addressed to the chair of the local governing body, setting out briefly the facts and stating what it is that the complainant considers should have been done or where the school has not met reasonable expectations.

2. The chair of the local governing body may appoint a member of the local governing body of the school to investigate the complaint. The investigation may include the offer of a meeting with the complainant. Whenever reasonably possible, any meeting with the complainant will take place within 15 school days of the written complaint being received.

3. The investigator will put her/his findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done within 15 school days of any meeting with the complainant; if no meeting is arranged it will be within 25 school days of the written complaint being received.

Where the complainant remains dissatisfied, he may request the complaint is dealt with at Stage 4. Any such request **must** be set out in writing, stating where the complainant remains dissatisfied, what remedies are being sought and be lodged within **10** school days of the

complainant receiving the findings in writing. The request must be addressed to Trust Governance and Admin Manager (TGAM).

Stage 4 – Formal Resolution: Panel Hearing

1. The complaints panel of the academy trust will consider all complaints at Stage 4.

2. The complaints panel must comprise at least three people, which will include one person who is independent of the management and running of the academy trust and any of its schools.

3. The complaints panel may also include one or more persons from the following categories:

    (i) A member of the local governing body of the school where the complaint emanated from;
    (ii) A member of a local governing body from another school within the academy trust;
    (iii) A member of the board of trustees from the academy Trust.

4. None of the members of the complaints panel will have been directly involved in the matters detailed in the complaint.

5. The TGAM will invite the school to put in writing its response to the complainant's reasons. The school will provide this within 15 school days of receiving the request. At the end of that period, the TGAM will convene a meeting of the complaints panel. That meeting will be held on school premises as quickly as practicable given the need to find a date that is reasonably convenient for the complainant, the school and the members of the complaints panel. Whenever possible, the meeting will be held within 15 school days of the end of the school's response time. At any meeting, the complainant will be entitled to be accompanied by a friend but legal representation will not be allowed.

6. The meeting is not a court case, it will be held in private, and will be as informal as circumstances allow. The complainant will have the opportunity to put her/his reasons for dissatisfaction and to enlarge on them but may not introduce reasons that were not previously put in writing. The school will have the opportunity to put its side of things and each side, as well as the panel members, will be able to ask questions. The complainant will have the opportunity to make final comments to the panel.

7. The panel may make findings and recommendations and a copy of those findings and recommendations will be

    (i) sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about; and

    (ii) available for inspection on the school premises by the academy trust, the Head Teacher or member of the SLT and the CEO.

8. The panel will formulate its response as quickly as reasonably possible, aiming to do so within 10 school days, and the TAGM will notify all concerned.

Attendance at a Complaints Panel Hearing

The complaints panel will proceed *irrespective of whether or not* the complainant and/or their representative attend. If the complainant fails to attend on the day without compelling reasons, the complaints panel will *still* proceed *in their absence and the process will continue to its conclusion.* Any further attempt to re-open the matter will be considered as falling under the serial/persistent complaint section as below.

Serial or persistent complainants

If at any level a complainant attempts to reopen an issue or a closely related issue that has already been dealt with under this complaints procedure, the chair of the academy trust may write to the complainant to inform him/her that the procedure has been exhausted and the matter closed, that continued correspondence on the same matter is vexatious and that the academy trust will not respond to any further correspondence on this issue or a closely related issue.

Complaint against a member of a Local Governing Body/Chair of a Local Governing Body

Where a complaint is brought against a member of the local governing body, the chair of the local governing body will investigate the complaint (or appoint another member of the local governing body to do so) in the same way as in the first stage of the formal process at **Stage 3**. **Stage 2** does not apply

If the complaint is against the chair of the local governing body, then the vice chair of the local governing body will investigate the complaint (or appoint another member of the local governing body to do so) in the same way as in the first stage of the formal process at **Stage 3**. **Stage 2** does not apply.

If the complaint is against a member of the board of trustees, then the chair of the board, (or in the case of a complaint against the chair the vice chair) will investigate the complaint (or appoint another member of the board to do so) in the same way as in the first stage of the formal process at **Stage 3**. **Stage 2** does not apply.

In exceptional circumstances the chair of the board of trustees may at his or her absolute discretion determine that a complaint against a principal, executive principal, or member of the local governing body should be dealt with at board level and if so determined the chair of the board of trustees will oversee **Stage 3.**

Record Keeping

A written record will be kept of all complaints that were resolved at the formal stage of the complaints procedure. Records will contain details of whether the complaint was resolved at stage 2, stage 3 or whether it proceeded to a stage 4 panel hearing. The action taken by the school or the academy trust as a result of a complaint (regardless of whether they are upheld) will also be recorded.

Confidentiality

Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 requests access to them.

Education and Skills Funding Agency (ESFA)

Once the complaints process is concluded (or a complaint has been terminated due to undue delay or failure to lodge a stage 3 request within the time stated in the policy) the matter is closed. If the complainant is still not satisfied, then they may contact the ESFA. There is an online procedure at:
https://form.education.gov.uk
or you may write to the Ministerial and Public Communications Division
Department for Education Piccadilly Gate Store Street Manchester M1 2WD

Complaints Relating to Fulfilment of the EYFS Requirements

In order to comply with the statutory framework, written concerns or complaints relating to the fulfilment of the EYFS Requirements will be dealt with in accordance with the following process:

- The written concern/complaint will be acknowledged within 5 days;
- The Headteacher will investigate the concern or complaint which may include meeting with the complainant and the Head of Early Years. A written response notifying the complainant of the outcome of the investigation will be sent within 28 days of the complaint being received.
- Where the complainant remains dissatisfied, the Headteacher will ensure that a formal complaints panel will be convened in accordance with stage 4 of this policy

A record of the written complaints and their outcome will be maintained and made available to Ofsted on request.

Parents are further advised that where you have concerns regarding the School meeting EYFS requirements they may contact Ofsted on 0300 123 4666.