Community Academies Trust Complaints Policy

Education is for improving lives and for leaving your community and world better than you found it.

Approved by the Board of Directors on: 12 December 2018 2018

Review date: December 2020

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1 Introduction

1.1. We believe that our schools provide an excellent education and that school personnel work very hard to build positive relationships with all parents and others. However, we appreciate that on occasions there are misunderstandings, or differences of opinion. We are always keen to rectify concerns and will work hard to do so.

We are obliged under the Education (Independent School Standards) (England) Regulations 2014 to have in place, clear procedures to deal with complaints made against the school or individuals connected with it. We are aware that under the Education Act 1996 parents have the right to complain about any matter relating to the school's curriculum and any issue relating to the general educational that we provide. This complaints procedure is published on each school's website within our Trust with hard copies available from the school office.

We are not obliged to have procedures in place to deal with complaints made about the trust but have included these within this policy as best practice. In the case of complaints against the trust the CEO will take the role of the Headteacher and the Chair of the Board of Directors the role of the Chair of Governors.

We believe that complaints should be kept to a minimum by forging strong positive relations with everyone connected with the school and by having in place very good lines of communication. We as a school community have a commitment to promote equality. We believe that in the interests of all concerned, especially the child, positive relationships should be maintained.

An equality impact assessment has been undertaken and we believe this policy is in line with the Equality Act 2010.

Terms and phrases used in this policy are contained within Annex 1.

1.2. This Complaints Policy is based on the principle that concerns expressed by a pupil, parent or any other individual or organisation should be resolved as quickly as possible without the need to escalate to the formal stages of the procedure. However, where resolution has not been achieved and the person raising the concern is unhappy and wishes to take the matter further, the formal procedure for dealing with complaints will be followed. The four stages are:

- Stage 1 - Informal investigation of a concern.
- Stage 2 - Formal complaint investigated by a member of staff. This stage can be left out at the discretion of the Headteacher/Head of School.

- Stage 3 - Formal complaint investigated by the Headteacher/Head of School.

- Stage 4 - Complaint heard before an Independent Complaint Panel.

1.3. Complaints made by a member of staff should be dealt with under separate grievance procedures applicable to employees. Complaints made by employees will not be dealt with under this Complaints Policy.

1.4. Complaints made by a Local Governor acting in that role should be referred to the Chair of the Local Governing Body to be dealt with. Complaints made by Local Governors will not be dealt with under this Complaints Policy.

1.5. Complaints made by a contractor should be dealt with informally, but may be escalated where dispute resolution or a formal complaints process is included in the contractual agreement. Complaints made by contractors will not be dealt with under this Complaints Policy.

1.6. All complaints regarding a safeguarding/child protection issue will be dealt with under child protection procedures.

1.7. If a parent is concerned about anything to do with any aspect of the school or its organisation they should in the first instance discuss the matter with the school and attempt to resolve the issue amicably BEFORE resorting to follow the formal procedure. In most cases we are confident that we can resolve any concerns or issues by simply talking through them face to face. Annex 2 details our arrangements for dealing with initial concerns or complaints.

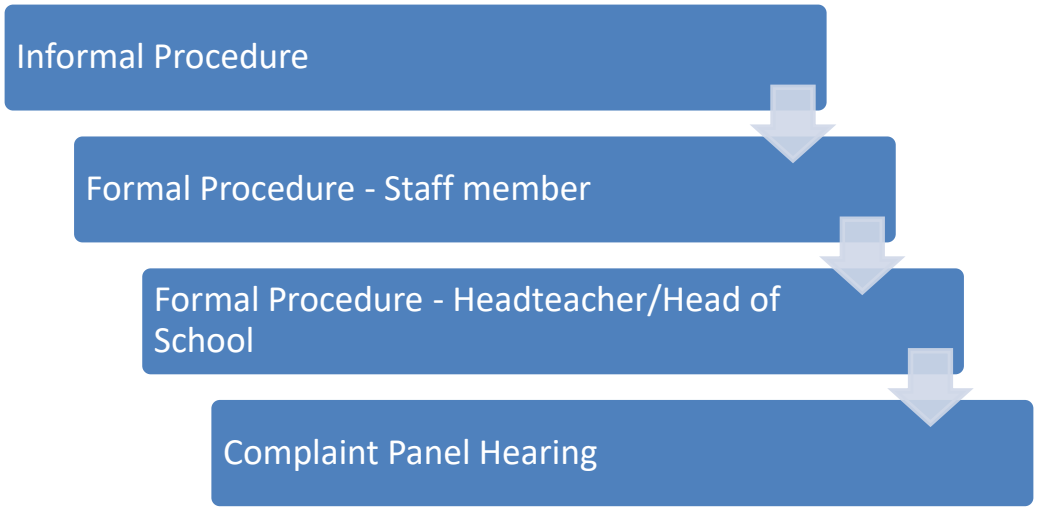
1.8. If the complainant is not happy with the manner in which the complaint was handled at this first stage, then they may put their complaint in writing and ask for it to be dealt with formally.

1.9. This Complaints Policy is intended to be compliant with Schedule 1, Part 7 of the Education (Independent Schools Standards) (England) Regulations 2014. In the event of any variance between this Complaints Policy and these Regulations, the Regulations will apply.

2 Policy

2.1 Concerns or complaints should be raised within three months of the incident or event to which the complaint relates (or, where the complaint relates to a series of incidents or events, within three months of the latest incident or event).

2.2 The trust has four stages to its complaints procedure. The aim is to try to deal with the complaint, to the satisfaction of the complainant, at the earliest possible stage.



2.3 Only if the complaint cannot be resolved at the informal stage would it be escalated to the formal stages. Only if the complaint cannot be subsequently resolved at the formal stages would it be escalated to an Independent Complaint Panel Hearing.

Principles of Investigating a Concern or Complaint

2.4 The principles that will form the basis for all investigations of concerns and complaints will be that the person investigating the complaint:

- Has read this Complaints Policy to familiarise him or her self with the procedure;
- Is aware of the time limits that apply to the relevant stage and ensures that he or she complies with them;
- Establishes the nature of the complaint and what issues remain unresolved;

- Establishes what the complainant says has happened, who has been involved, and what the complainant feels would put things right;

- If necessary, interviews those involved in the matter, for example the complainant, pupils and members of staff, including those complained about;

- Allows pupils and those complained about to be accompanied during interviews, if they wish;

- Keeps a written record of the interview, and asks the interviewee to sign and date it;

- Establishes relevant facts, on a balance of probabilities, based on evidence not speculation, and keeps a written record of these;

- Provides an effective response to the complaint, addressing all issues raised (including, where relevant, complaints about the way in which the complaint has been dealt with in the earlier stages);

- Ensures that the response to the complaint includes the appropriate redress, where necessary;

- Reports the complaint and the outcome of the complaint to the Senior Leadership Team so that services can be improved;

- Deals with the investigation in an impartial, objective, fair and timely manner, keeping in mind the privacy of the parties involved.

Principles of Resolving a Concern or Complaint

2.5 It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. The way in which the concern or complaint is dealt with after the complainant first raises the matter can be crucial in determining whether the complaint will escalate. To that end, members of staff will be periodically made aware of the procedure in this Complaints Policy, so that they will know what to do when a concern is raised with them.

2.6 At each stage of the complaints procedure, the investigator will consider how the complaint may be resolved. In considering how a complaint may be resolved, the investigator will give due regard to the seriousness of the complaint. It may be appropriate in order to bring the complaint to a resolution for the investigator to offer:

- An explanation;

- An apology;

- Reassurance that steps have been taken to prevent a recurrence of events which led to the complaint;

- Reassurance that the school and/or the trust will undertake a review of its policies and procedures in light of the complaint.

None of the above will constitute an admission of negligence or an acceptance of liability on behalf of the school or the trust.

Principles of Notifying the Outcome of a Concern or Complaint

2.7 Once all of the facts have been established, the investigator will write to the complainant setting out all of the issues in dispute, the results of the investigation, the decision made, the reasons for the decision, and details of any action to be taken to resolve matters or prevent a reoccurrence. Alternatively, the investigator may wish to meet with the complainant to discuss the outcome of the investigation, the decision made, the reasons for the decision and any action to be taken directly, in which case a full written record will be made of the meeting, which the complainant will be asked to sign and date. Strictly confidential procedures such as staff disciplinary investigations or sanctions must **not** be referred to.

2.8 The outcome of all concerns and complaints, whether dealt with formally or informally, will be recorded centrally by the school. Examples of outcomes include:

- There was insufficient evidence to reach a conclusion, so the complaint cannot be upheld;

- The evidence did not substantiate the concern, so the complaint cannot be upheld;

- The complaint was substantiated in part or full. A brief description should be given of the remedial action being taken by the school as a consequence of the complaint. Details of the investigation or any disciplinary sanctions to be taken against a member of staff cannot be disclosed.

- The matter has been fully investigated and, as a consequence, further confidential procedures are being pursued. Strictly confidential procedures such as staff disciplinary investigations and sanctions must not be referred to.

Time Limits

2.9 This Complaints Policy sets out the time limits for each stage of the complaints procedure. Those dealing with complaints will keep to these time limits. However, where a complaint is of a particularly complex nature, or further investigations are required to ascertain the facts, new time limits can be set. The complainant will, within the time limit specified in this Complaints Policy, be sent the details of any changes to the time limits with an explanation for the delay and confirmation of the revised date.

Late Complaints

2.10 Where a concern or complaint is raised more than three months after the incident or event (or where the complaint relates to a series of incidents or events, more than three months from the date of the latest incident or event), the school reserves the right to refuse to investigate the concern or complaint under the procedure in this Complaints Policy **if it appears reasonable and fair to do so, having regard to the circumstances surrounding the complaint**.

2.11 Complaints that relate to issues concerning child protection will always be investigated under child protection procedures, irrespective of any delay in bringing the complaint.

2.12 Where the school decides that a concern or complaint which was raised late will not be investigated, the school will write to the complainant notifying them of the decision within **5 school days** of the concern or complaint being raised.

2.13 If the complainant is unhappy with the decision not to investigate a concern or complaint that was raised late, the complainant may write to the Chair of the Local Governing Body at the school asking for the decision to be reviewed. The Chair of the Local Governing Body will be provided with all documentation relating to the concern or complaint, together with the letter from the school to the complainant, and will review the decision made. The Chair of the Local Governing Body will take advice from a Director of the trust. The Chair of the Local Governing Body will then write to the complainant with the outcome of the review within **10 school days** of the date that the letter from the complainant seeking the review was received, and provide the school with a copy of the letter.

2.14 If the Chair of the Local Governing Body quashes the decision not to investigate the concern or complaint, it will be referred to the school to be dealt with under the procedure in this Complaints Policy in the usual way.

2.15 If the Chair of the Local Governing Body upholds the decision not to investigate the concern or complaint, the complainant may refer the concern or complaint to the

Education and Skills Funding Agency using the procedure stated towards the end of this Complaints Policy.

2.16 In exceptional circumstances, the Chair of the Local Governing Body can delegate the responsibility for the review to the Vice-Chair of the Local Governing Body.

Vexatious and/or Repeated Complaints

2.17 There may be occasions when, despite exhausting the procedure in this Complaints Policy, the complainant persists in making the same complaint to the school. There may also be occasions when a complainant raises unreasonable persistent complaints or raises complaints about matters which do not affect them. In addition, there may be occasions when a complaint is made about a matter which is clearly so trivial that it would be a waste of the school's resources to deal with it under the formal stages of the procedure. In all of these cases, the school reserves the right to regard the complaint as vexatious and/or repeated and to refuse to investigate it under the procedure in this Complaints Policy **if it appears reasonable and fair to do so, having regard to the circumstances surrounding the complaint**.

2.18 Where the school decides that a complaint is vexatious and/or repeated and will not be investigated, the school will write to the complainant within **5 school days** of the complaint being raised to notify them of the decision.

2.19 If the complainant is unhappy with the decision not to investigate a vexatious and/or repeated complaint, they may write to the Chair of the Local Governing Body to ask for the decision to be reviewed. The Chair of the Local Governing Body will be provided with all documentation relating to the current complaint and any previous complaints which were relevant to the decision, together with the letter from the school to the complainant, and will review the decision made. The Chair of the Local Governing Body will take advice from a Director of the trust. The Chair of the Local Governing Body will then write to the complainant with the outcome of the review within **10 school days** of the date that the letter from the complainant seeking the review was received.

2.20 If the Chair of the Local Governing Body quashes the decision not to investigate the concern or complaint, it will be referred to the school to be dealt with under the procedure in this Complaints Policy in the usual way.

2.21 If the Chair of the Local Governing Body upholds the decision not to investigate the concern or complaint, the complainant may refer the concern or complaint to the Education and Skills Funding Agency using the procedure stated towards the end of this Complaints Policy.

2.22 In exceptional circumstances, the Chair of the Local Governing Body can delegate the responsibility for the review to the Vice-Chair of the Local Governing Body.

Anonymous Complaints

2.23 The school will not investigate anonymous complaints under the procedure in this Complaints Policy. Anonymous complaints will be referred to the Headteacher/Head of School who will decide what, if any, action should be taken.

3 Stage 1 - Informal Procedure

3.1 The class teacher and other members of staff can deal with many concerns to the satisfaction of the complainant, without needing to deal with it formally. The school values informal meetings and telephone discussions as a way of improving its procedures and relations with parents. Our procedures and contact details covering our 'informal procedures' are listed under Annex 2

3.2 There is no rigid time-scale for resolving concerns and complaints at this stage, given the importance of dialogue through informal discussions, however it is expected that most concerns will be resolved within **10 school days**. Should the nature or complexity of the concern mean that more time is required, the school will write to the complainant within **10 school days** informing them of the reason for the delay and confirming a revised date for resolution.

3.3 Should informal meetings and telephone discussions appear unlikely to resolve the concern, either party may initiate a move to the Stage 2 for the complaint to be investigated formally. A copy of the formal complaint form in Annex 3 will be forwarded to the complainant for completion and return, together with a copy of this Complaints Policy.

4 Stage 2 – Formal Complaint Investigated by a Member of Staff

4.1 If the complainant is unhappy with the way in which the concern was dealt with informally, the complainant should complete the formal complaint form found in Annex 3 and return it to the school.

4.2 Upon receipt of a completed formal complaint form, the Headteacher/Head of School will identify the appropriate member of staff to investigate the complaint under Stage 2. If the complaint is about a member of staff, a manager senior to that member of staff will normally investigate the complaint. In our smaller schools, there may not be a suitably senior member of staff available to investigate the complaint. In this case, or if the complaint is very serious in any size of school,

the Headteacher/Head of School may, at their discretion, escalate the complaint directly to Stage 3.

4.3 The school will try to respect the views of a complainant who indicates that he or she would have difficulty discussing a complaint with a particular member of staff. In these cases, the matter will be referred back to the Headteacher/Head of School who may, if they feel it necessary, refer the complaint to another staff member for investigation.

4.4 Where the complaint concerns the **Headteacher/Head of School** or a **Local Governor**, the complaint will be referred to the Chair of the Local Governing Body. The Chair of the Local Governing Body will investigate the complaint under Stage 3 of this Complaints Policy. Where the complaint concerns the **Chair of the Local Governing Body**, the Vice Chair of the Local Governing Body will investigate the complaint under Stage 3 of this Complaints Policy.

4.5 Where the first approach is made to a Local Governor, the Local Governor must refer the complaint to the Headteacher/Head of School, who will allocate it to an appropriate member of staff for investigation under Stage 2 of this Complaints Policy. Local Governors should not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on an Independent Complaint Panel at a later stage of the procedure.

4.6 The member of staff considering the complaint will write to the complainant acknowledging the complaint within **5 school days** of receiving the formal complaint form. The acknowledgement will confirm which stage of the Complaints Policy the complaint is being investigated under, and will confirm the date for providing a response to the complaint. Following investigation of the complaint, the member of staff will write to the complainant confirming the outcome within **10 school days** of the formal complaint form being received. If this time limit cannot be met, the member of staff will write to the Complainant within **10 school days** of the formal complaint form being received, explaining the reason for the delay and providing a revised date.

4.7 The letter to the complainant should notify them that if he or she is unhappy with the outcome of the Stage 2 investigation of the complaint, they should write to the Headteacher/Head of School within **10 school days** of receiving the letter asking for the complaint to be investigated under Stage 3 of this Complaints Policy. If no further communication is received from the complainant within **10 school days**, the complaint will be deemed to have been resolved.

5 Stage 3 - Formal Complaint Investigated by the Headteacher/Head of School

5.1 If the complainant is unhappy with the outcome of the complaint under Stage 2, the complainant should write to the Headteacher/Head of School at the school asking for the complaint to be investigated under Stage 3 of this Complaints Policy.

5.2 The Headteacher/Head of School will write to the complainant acknowledging the complaint within **5 school days** of the date that the letter was received from the complainant. The acknowledgement will confirm that the complaint will now be investigated under Stage 3 of this Complaints Policy, and will confirm the date for providing a response to the complaint. Following investigation of the complaint, the Headteacher/Head of School will write to the complainant confirming the outcome within **10 school days** of the date that the letter was received from the complainant. If this time limit cannot be met, the Headteacher/ Head of School will write to the complainant within **10 school days** of the date that the letter was received from the complainant, explaining the reason for the delay and providing a revised date.

5.3 The letter to the complainant should notify them that if he or she is unhappy with the outcome of the Stage 3 investigation of the complaint, they should write to the Clerk to the Local Governors within **10 school days** of receiving the letter asking for the complaint to be heard before an Independent Complaint Panel under Stage 4 of this Complaints Policy. If no further communication is received from the complainant within **10 school days**, the complaint will be deemed to have been resolved.

5.4 In exceptional circumstances, the Headteacher/Head of School may delegate responsibility for investigating the complaint under Stage 3 of this Complaints Policy to a member of the Senior Leadership Team. In those circumstances, the Headteacher/Head of School will monitor the progress of the investigation, and it will be the Headteacher/Head of School who will write the letter of outcome to the complainant.

5.5 As stated above, where a formal complaint form is received making a complaint about the **Headteacher/Head of School** or a **Local Governor**, the complaint will be referred to the Chair of the Local Governing Body for investigation under **Stage 3** of this Complaints Policy, rather than Stage 2. If a formal complaint form is received making a complaint about the **Chair of the Local Governing Body**, the complaint will be referred to the Vice Chair of the Local Governing Body for investigation under **Stage 3** of this Complaints Policy, rather than Stage 2.

6 Stage 4 – Complaint Heard at a Independent Complaint Panel Hearing

6.1 If the complainant is unhappy with the outcome of the complaint under Stage 3, the complainant should write to the Clerk to the Local Governors at the school asking for the complaint to be heard before an Independent Complaint Panel. Guiding principles and information on the appointment of an Independent Complaint Panel can be found in Annex 4.

6.2 The Clerk to the Local Governors will write to the complainant acknowledging the request for the complaint to be heard before an Independent Complaint Panel within **5 school days**. The letter will inform the complainant that the Independent Complaint Panel Hearing will take place within **25 school days** of the date that the letter was received from the complainant and that arrangements to appoint the Independent Complaint Panel and convene the Independent Complaint Panel Hearing will be made by the Clerk to the Local Governors, who will be the complainant's point of contact.

The School's Representative

6.3 The school will be represented at the Independent Complaint Panel Hearing by the person who investigated the complaint under the most recent stage of the procedure. This will usually be the Headteacher/Head of School, however it may on occasions be the Chair of the Local Governing Body, the Vice-Chair of the Local Governing Body or a member of the Senior Leadership Team. If the complainant has complained about the way in which the complaint was investigated by that person (rather than simply disagreeing with the outcome of the complaint) then the school will not be represented by that person at the Independent Complaint Panel Hearing, and the school will nominate another person to represent the school.

Convening the Independent Complaint Panel Hearing

6.4 The Clerk to the Local Governors will liaise with the Assistant to the Directors and convene the Independent Complaint Panel hearing on a date and at a time which is convenient to the complainant, the school's representative and the three Independent Complaint Panel members. The Clerk to the Local Governors will write to the complainant, the school's representative and the Independent Complaint Panel members **at least 5 school days** before the Independent Complaint Panel Hearing is due to take place confirming the date and time.

Witnesses

6.5 The complainant may seek to rely on the accounts of witnesses, which are relevant to the complaint. The complainant should ask each witness to write down their account in a signed and dated statement and send it to the school **at least three school days** before the Independent Complaint Panel Hearing is due to take place.

6.6 The school may seek to rely on the accounts of witnesses, which are relevant to the complaint. Such witnesses may also include those persons who dealt with the complaint in the previous stages, if the complainant has complained about the way in which the complaint was investigated (rather than simply disagreeing with the outcome of the complaint). Such witnesses should, if they have not already done so, provide a signed and dated statement of their account and provide it to the Clerk to the Local Governors **at least three school days** before the Independent Complaint Panel Hearing is due to take place.

6.7 The Independent Complaint Panel will have the absolute discretion to decide whether a witness account is relevant to the complaint or whether a witness account is undisputed by the complainant or the school respectively. Where a witness account is irrelevant or undisputed, their attendance at the Independent Complaint Panel will not be required.

6.8 All witnesses, whether they are for the complainant or the school, will not be allowed to sit in on any part of the Independent Complaint Panel Hearing except when they are giving their own verbal account or answering questions, upon conclusion of which they will be required to leave the room.

Documents

6.9 The Clerk to the Local Governors will provide a copy of all correspondence, statements (including witness statements) and records relating to the complaint (including records made by those persons who investigated the complaint in the previous stages) to the complainant, the school's representative and each Independent Complaint Panel member **at least two school days** before the Independent Complaint Panel Hearing is due to take place.

Attendance at the Hearing

6.10 The complainant may be accompanied by an interpreter or signer, as well as friend or relative, at the Independent Complaint Panel Hearing. The friend or relative will attend for moral support only and will not play any part in the Independent Complaint Panel Hearing, unless invited to do so by the Independent Complaint Panel if it appears to them that it will improve the quality of the complainant's representations. The Independent Complaint Panel Hearing is not a legal hearing

and it is therefore not appropriate for either the complainant or the school to be legally represented.

The Clerk to the Independent Complaint Panel

6.11 A Clerk to the Independent Complaint Panel will attend the Independent Complaint Panel Hearing and keep a written record of the proceedings. The Clerk to the Independent Complaint Panel will usually be the Clerk to the Local Governors, however another suitable person may be appointed to this role if the Clerk to the Local Governors is not available.

Procedure at the Independent Complaint Panel Hearing

6.12 The Independent Complaint Panel Hearing will proceed as follows:

- The Clerk to the Independent Complaint Panel will greet the complainant, the complainant's supporter and the school's representative and welcome them into the room where the Independent Complaint Panel has convened (witnesses will remain outside of the room until they are called in to give their account);
- The complainant will be invited by the Independent Complaint Panel to give an account of their complaint;
- The school's representative will be invited to ask the complainant questions, if any;
- The Independent Complaint Panel will ask the complainant questions, if any;
- The complainant's relevant first witness will be invited into the room to give an account of what they saw or know;
- The school's representative will be invited to ask the complainant's witness questions, if any;
- The Independent Complaint Panel will ask the complainant's witness questions, if any;
- The complainant's witness will be asked to leave the room;
- If the complainant has any further relevant witnesses, they will be invited into the room individually to provide their accounts and be questioned as outlined above;
- The school's representative will be invited by the Independent Complaint Panel to respond to the complaint and make representations on behalf of the school;

- The complainant will be invited to ask the school's representative questions, if any;

- The Independent Complaint Panel will ask the school's representative questions, if any;

- The school's relevant first witness will be invited into the room to give an account of what they saw or know;

- The complainant will be invited to ask the school's witness questions, if any;

- The Independent Complaint Panel will ask the school's witness questions, if any;

- The school's witness will be asked to leave the room;

- If the school has any further relevant witnesses, they will be invited into the room individually to provide their accounts and be questioned, as outlined above;

- The complainant will be invited by the Independent Complaint Panel to summarise their complaint;

- The school's representative will be invited by the Independent Complaint Panel to summarise their response to the complaint and the school's stance;

- The Independent Complaint Panel Hearing will conclude and the complainant and the school's representative will be asked to leave.

<u>The Independent Complaint Panel's Decision</u>

6.13 The Independent Complaint Panel will meet in private, either immediately after the Independent Complaint Panel Hearing or on a subsequent date, and will consider all of the documentation and everything that they have heard at the Complainant Panel Hearing and make:

- **Findings of Fact**

  The Independent Complaint Panel will decide which facts are established to be true, on a balance of probabilities (i.e. more likely than not). If a fact is not deemed relevant, the Independent Complaint Panel will not consider it further. The Independent Complaint Panel will make a written record of the facts that have been established, those which have not been established and those which are not relevant, with reasons.

- **Recommendations**

The Independent Complaint Panel will consider the facts, which they have established and will make recommendations based upon them. These recommendations may be aimed at achieving reconciliation between the parties (for example, a written apology), improving procedures or preventing a recurrence in the future. The Independent Complaint Panel will keep a written record of their recommendations, with reasons.

Notification of the Independent Complaint Panel's Decision

6.14 The Clerk to the Independent Complaint Panel will write within **10 school days** of the Independent Complaint Panel Hearing to the:

- **complainant;**
- **the school's representative;**
- **Any person complained about;**

The letter will identify the issues complained about, and will confirm the Independent Complaint Panel's findings of fact and recommendations, if any, with reasons. The letter will also confirm that if the complainant believes that this Complaints Policy does not comply with the Regulations, or that the school has not followed the procedure outlined in this Complaints Policy, the complainant may refer their complaint to the Education and Skills Funding Agency for consideration.

6.15 The Clerk to the Independent Complaint Panel will also ensure that a copy of the Independent Complaint Panel's findings and recommendations are made available on the school's premises for inspection by the trust, the Local Governing Body and the Headteacher/Head of School.

7 Complaint Referred to Education and Skills Funding Agency

7.1 Once a complaint has been through all the stages of the this Complaints Policy, if the complainant believes that this Complaints Policy does not comply with the Regulations, or if the complainant believes that the school has not followed the

procedure in this Complaints Policy, the complainant can refer the complaint to the Education and Skills Funding Agency for consideration.

7.2 The complainant can find further information about referring a complaint to the Education and Skills Funding Agency by pasting this page into an Internet browser:

http://www.education.gov.uk/schools/leadership/schoolperformance/b00212240/making-complaint-school/complaints-free-schools-academies

7.3 The complainant can refer their complaint to the Education and SkillsFunding Agency by completing an online form by pasting this page into an Internet browser:

https://www.education.gov.uk/schools/leadership/schoolperformance/school-complaints-form

7.4 The complainant should be aware that the Education and Skills Funding Agency will not usually investigate the complaint itself, or interfere with the findings of the Independent Complaint Panel, unless the decision made was manifestly unreasonable.

8 Unreasonable Behaviours

8.1 The school is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. The school will not normally limit the contact complainants have with the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

8.2 Behaviour may 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 in social media websites and newspapers.

8.3 Complainants should limit the numbers of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

8.4 Whenever possible, the Headteacher/Head of School or Chair of the Local Governing Body will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

8.5 If the behaviour continues, the Headteacher/Head of School will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the school causing a significant level of disruption, the school may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

8.6 In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from school premises.

9 Administrative Matters

Records

9.1 The school will keep a central record of all concerns and complaints received and whether they were dealt with informally or formally.

9.2 The school will also keep a record of all actions taken by the school as a result of those complaints (regardless of whether they were upheld).

Confidentiality

9.3 The school will keep all correspondence, statements and records relating to individual complaints confidential, except where the Secretary of State or a body conducting an inspection under section109 of the 2008 Act requests access to them.

Publication

9.4 This Complaints Policy will be reviewed annually and published on the school's web site, as well as being made available to pupils, parents and other individuals or organisations on request.

Annex 1 – Glossary

The definitions used in this Complaints Policy are:

School	The school, which is part of the multi academy trust known as Community Academies Trust.
Clerk to the Independent Complaint Panel	The person who will attend the Independent Complaint Panel Hearing and keep a written record of the proceedings, and will write to the complainant notifying them of the decision of the Independent Complaint Panel.
Clerk to the Local Governors	The person responsible for making the arrangements to appoint the Independent Complaint Panel and convene the Independent Complaint Panel Hearing. The Clerk to the Governors will also usually act as the Clerk to the Independent Complaint Panel at the Independent Complaint Panel Hearing.
Chair of the Local Governing Body	The person elected by the Local Governing Body to be their chairperson.
Complainant	The person or organisation making the complaint.
Education & Skills Funding Agency	The government department (a sub-department of the Department for Education) responsible for funding and monitoring standards in academies.
Local Governing Body	A sub-committee of the trust. The trust delegates the day-to-day management and running of the school to the Local Governing Body. Where a Local Governing Body does not exist a Educational Advisory Board carries out the same roles.
Parent	The natural or adoptive mother or father of a pupil, prospective pupil or former pupil, irrespective of whether they are or ever have been married, together with persons with parental responsibility for the pupil, and persons with care of the pupil.
School Day	Term-time weekdays excluding weekends, inset days, bank holidays and school holidays.

Trust	A multi school trust company, which is a charitable company responsible for the management and running of all of the academies within the multi school trust group.

Annex 2 – Informal Arrangements

If a parent is concerned about anything to do with any aspect of the school or its organisation they should in the first instance discuss the matter with the school and attempt to resolve the issue amicably BEFORE resorting to follow the formal procedure. In most cases we are confident that we can resolve any concerns or issues by simply talking through them face to face.

The class teacher and other members of staff can deal with many concerns to the satisfaction of the complainant, without needing to deal with it formally. The school values informal meetings and telephone discussions as a way of improving its procedures and relations with parents.

Initially a meeting should be arranged via the school office, with the member of staff concerned, to share the issue. Depending on the circumstances of the complaint, it may be considered appropriate for the Headteacher to discuss it with the complainant as an informal complaint. The school will inform the complainant after understanding the detail. This meeting is held in the spirit of attempting to resolve the matter in an amicable manner. In the unlikely event that the concern is not resolved it should move to the formal stage outlined in this policy.

School contact

Headteacher:

Telephone:

Email:

Address:

Annex 3 – Formal Complaint Form

Please complete and return to the school who will acknowledge receipt and explain what action will be taken.

Date:

Your name:

Pupil's name (if applicable):

Your relationship to the pupil:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint:

What action, if any, have you already taken to try and resolve your complaint (for example, who have you spoken to and what was the response)?

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

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

Signature:

Official use **Date complaint received:** **Date acknowledgement sent:** **By who:** **Complaint referred to:** **Date:**

Annex 4 – Independent Complaint Panel Hearing Principles

Guiding Principles

It is essential that the Independent Complaint Panel Hearing is independent and impartial. No person may sit on the Independent Complaint Panel if they have had a prior involvement in the complaint or in the circumstances surrounding it, or any previous knowledge of the complaint's progress through the previous stages, or any previous knowledge of the complainant.

The aim of the Independent Complaint Panel Hearing, which must be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the Independent Complaint Panel does not find in their favour. It may only be possible to establish the facts and make recommendations, which may satisfy the complainant that his or her complaint has been taken seriously.

An effective Independent Complaint Panel will acknowledge that many complainants and witnesses, especially children, will feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The Independent Complaint Panel will ensure that the proceedings are as welcoming and informal as possible, while keeping in mind that the proceedings must be fair and follow the rules of natural justice.

Appointment of the Independent Complaint Panel

The Clerk to the Local Governors will liaise with the Assistant to the Directors in making arrangements for the Independent Complaint Panel to be appointed. The Independent Complaint Panel will consist of three members. None of the three members of the Independent 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, or have any detailed prior knowledge of the complaint.

One of the Independent Complaint Panel members will be independent of the management and running of the school. This means that the independent Independent Complaint Panel member will not be a Director of the Trust, a Local Governor of the School, or an employee of either the trust or the school. When appointing the independent Independent Complaint Panel member, the trust and the school will bear in mind the non-statutory advice of the Department for Education, which states:

"Whilst we do not wish to be prescriptive about who schools should appoint as an independent person our general view is that people who have held a position of responsibility and who are used to analysing evidence and putting forward balanced arguments would be suitable. Examples of persons likely to be suitable are serving or retired business people, civil servants, heads or senior members of staff at other

schools, people with a legal background and retired members of the police force might be considered by schools. Schools will of course have their own views."

For the avoidance of doubt, a Local Governor of another Community Academies Trust school may be the independent Independent Complaint Panel member, as long as they are not an employee of that school or the trust, and they are sufficiently removed from the management and running of the school to be considered truly independent.

One of the Independent Complaint Panel members will be a Director of the trust, as long as they have not 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, or have any detailed knowledge of the complaint and are not an employee of the school.

One of the Independent Complaint Panel members will normally be a Local Governor of the school, as long as they have not 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, or have any detailed knowledge of the complaint and are not an employee of the school. Should such a Local Governor not be available then a Director of the trust or Local Governor from another school in the trust may be the member.