

Complaints Policy



The Inspire Multi Academy Trust (South West)

September 2021



This Policy sets out the framework for how concerns and complaints are managed within all the schools/academies in The Inspire Multi Academy Trust (South West). The Trust reserves the right to alter this process, in exceptional circumstances.

1. DEFINITION

For the purpose of this document:

- a. The Inspire Multi Academy Trust (South West) is referred to as the Trust;
- b. School refers to all schools/academies within the Trust;
- c. Pupils refers to all pupils being educated or on site at any one of the schools/academies within the Trust.
- d. School days are normally those on which the school/academy is open and are days on which the school/academy could reasonably be expected to receive, progress and respond to a complaint. We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

2. INTRODUCTION

If you have a concern, complaint or compliment, we would like you to tell us about it.

The Trust is dedicated to providing the best possible education and support for all its pupils. This means having a clear, fair and efficient procedure for dealing with complaints to or against the school, so that any issues that arise can be dealt with as swiftly and effectively as possible. Be assured that no matter what you want to tell us, our support for you and your child in the school will not be affected in any way. Please tell us of your concern as soon as possible. It is difficult for us to investigate properly an incident or problem that happened some time ago.

All school staff will be made aware of complaints procedures so that they are familiar with the process and can be of the most assistance when an issue is brought to their attention.

This policy explains the different complaints stages that should be followed by any person whenever an issue arises that cause them concern.

Who can make a complaint?

This complaints procedure is not limited to Parents or Carers of children that are registered at the school. Any person, including members of the public, may make a complaint to the school about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

What is the difference between a concern and a complaint?

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'*.

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. The school takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, Mr Aaron Meredith (Executive Headteacher) will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, Mr Aaron Meredith (Executive Headteacher) will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, the school will attempt to resolve the issue internally, through the stages outlined within this complaints procedure

3. HOW DO I RAISE A CONCERN OR COMPLAINT?

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 on a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with either the class teacher or Executive Headteacher. If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

Complaints against school staff (except the Executive Headteacher) should be made in the first instance, to Mr Aaron Meredith (Executive Headteacher) via the school office. Please mark them as Private and Confidential.

If your complaint is about an action of the Executive Headteacher personally, then you should refer it to the Chair of Trustees (Mrs Carol Wood). Please mark them as Private and Confidential.

Complaints about the Chair of Trustees, any individual governor/trustee or the whole governing body should be addressed to Mrs Angela Treseder (the Clerk to the Governors/Trustees) via the school office. Please mark them as Private and Confidential.

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 third party organisations, such as the Citizens Advice to help you.

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.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the Executive Headteacher or Chair of Trustees, if appropriate, will determine whether the complaint warrants an investigation.

Time scales

You must 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. We will consider complaints made outside of this time frame if exceptional circumstances apply.

Complaints received outside of term time

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

COVID-19

During the COVID-19 situation, the governing body and Executive Headteacher will decide whether a virtual meeting at any stage of the complaints procedure is appropriate or if an alternative time scale will need to be set. There will be clear communication and audit trail that explains why it was necessary to take an alternative approach.

Scope of this Complaints Procedure

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

Exceptions	Who to contact
<ul style="list-style-type: none"> • Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation proposals 	<p>Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Plymouth Local Authority.</p>
<ul style="list-style-type: none"> • Matters likely to require a Child Protection Investigation 	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH).</p>
<ul style="list-style-type: none"> • Exclusion of children from school* 	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i></p>
<ul style="list-style-type: none"> • Whistleblowing 	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> • Staff grievances 	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
<ul style="list-style-type: none"> • Staff conduct 	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>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.</p>
<ul style="list-style-type: none"> • Complaints about services provided by other providers who may use school premises or facilities 	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>
<ul style="list-style-type: none"> • National Curriculum - content 	<p>Please contact the Department for Education at: www.education.gov.uk/contactus</p>

Each of these follows its own process of complaints and appeals which are outlined in their relevant policies.

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

Resolving complaints

At each stage in the procedure, the school wants 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 school policies in light of the complaint
- an apology.

Withdrawal of a Complaint

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

4. COMPLAINTS PROCEDURE FOR SCHOOLS

Informal Complaints

What to do first...

Most concerns, complaints or potential complaints can be resolved quickly by speaking with your child's teacher or the member of school staff concerned. Complainants should be encouraged to telephone to make an appointment with the appropriate member of staff or the Executive Headteacher in order to discuss their concerns. Telephone calls should be returned within 24 hours. The school should respect the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. Where the complaint concerns the Executive Headteacher and cannot be resolved by arranging a meeting with him/her, the complainant should be referred to the Chair of Trustees.

Please note, the school will not deal with complaints that have been voiced on social media or other public platforms as this is a clear breach of the Acceptable Use and Home School agreements that all families complete and sign upon joining the school.

If your child has an Education, Health and Care Plan (EHCP) you might find it helpful to talk to the Trust Inclusion Lead or Special Educational Needs Co-ordinator (SENCo) at the School.

If your first contact is with individual governors, you may be asked to take up your concerns with the Executive Headteacher or the appropriate member of staff. A governor should not be made aware of a potential complaint as they may be required to sit on a panel in the event of a formal hearing (Stage 2) and they should be impartial.

All staff will make every effort to resolve your problem informally. They will make sure that they understand what you feel went wrong, and they will explain their own actions to you. They will ask what you would like the school to do to put things right. Of course, this does not mean that in every case they will come around to your point of view but it will help both you and the school to understand both sides of the issue. It may also help to prevent a similar problem arising again.

If you have not yet raised your concerns with the school in question but contact the Local Authority instead, Council Officers will ask you for your written consent to share information regarding your complaint with the School. If you decline to provide your consent, the matter will not be taken any further. If you do provide consent, the Council will pass your concerns onto the School for action by either school staff or Governors.

What to do next...

If the concern isn't resolved by speaking to a member of staff, you should then request a meeting with the Executive Headteacher who will investigate your complaint and aim to inform you of the outcome within 10 days. You should talk to the Headteacher first, either by telephone or making an appointment through the school office.

The Executive Headteacher will ask to meet you for a discussion of the problem. You may take a friend or relation with you if you wish. The Executive Headteacher will conduct a full investigation of the complaint and may interview any members of staff or pupils involved. You will receive a written response to your complaint.

Please note that the Chair of Trustees may refer complaints that are taken straight to them back to the appropriate member of staff if they do not warrant the governing body's involvement at that point.

Formal Complaints

In order to ensure that complaints are processed efficiently and effectively, we deal with formal complaints in three stages:

Stage 1

- Formal complaints must be made to the Executive Headteacher (unless they are about the Executive Headteacher), via the school office. This may be done in person, in writing (preferably on the Complaint Form), or by telephone.
- The Executive Headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 24 hours.
- Within this response, the Executive Headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Executive Headteacher can consider whether a face to face meeting is the most appropriate way of doing this.

Note: The Executive Headteacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.

- During the investigation, the Executive Headteacher (or investigator) will:
 - a) if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
 - b) keep a written record of any meetings/interviews in relation to their investigation.
- At the conclusion of their investigation, the Executive Headteacher will provide a formal written response within 10 school days (2 weeks) of the date of receipt of the complaint.
- If the Executive Headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.
- If, however the complaint is received on the last day of the summer term the Executive Headteacher should attempt to contact the complainant by telephone to discuss the timescale for investigation and reporting. The letter acknowledging the complaint should confirm the details of this conversation or, if the Executive Headteacher has been unable to make telephone contact, that the situation will be investigated at the beginning of the autumn term and suggest a date for a meeting to discuss the findings. If it becomes apparent that further investigations are necessary new time limits should be set and the complainant informed of these together with the reasons for the delay.

- 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 respective school will take to resolve the complaint.
- The Executive Headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.
- If your complaint is about the Executive Headteacher, you should write to the Chair of Trustees.
- If the complaint is about a member of the governing body/trustees (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 1.
- Complaints about a member of the governing body must be made to the Clerk, via the school office.

If the complaint is:

- a) jointly about the Chair and Vice Chair or
- b) the entire governing body or
- c) the majority of the governing body

Stage 1 will be considered by an independent investigator appointed by the governing body. At the conclusion of their investigation, the independent investigator will provide a formal written response.

Stage 2

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – a meeting with members of the governing body’s complaints appeal committee, which will be formed of the first three, impartial, governors available.

A complaint can only be made to the Governing Body’s Complaints Appeal Panel if it relates to the Executive Headteacher or the complainant has:

- already exhausted Stage 1;
- allowed 10 school days for the Executive Headteacher to complete the investigation at Stage 1;
- accepted any reasonable offer by the school to discuss the findings of the investigation;
- taken part in any process of mediation offered by the school, such mediation should be undertaken by an independent person who has not been involved or know about the nature of the complaint; and

A request to escalate to Stage 2 must be made to the Clerk to the Governing Body/Trustees (Mrs Angela Treseder), via the school office, within one month of receipt of the Stage 1 response.

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

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

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting normally within 20 school days of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk 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.

Where the complaint is received on the last day of the summer term the Clerk to the Governing Body/Trustees should attempt to contact the complainant by telephone to discuss the timescale for the appeal process. The letter acknowledging the complaint should confirm the details of this conversation or, if the Clerk to the Governing Body/Trustees has been unable to make telephone contact, that the situation will be investigated at the beginning of the autumn term and suggest a date for a meeting of the complaints appeal panel of the Board of Governors.

The complaints committee will consist of at least three governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than three governors from the school available, the Clerk will source any additional, independent governors through another local school or through their LA's Governor Services team, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2.

The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate. For instance, if a school 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 school days before the meeting, the Clerk 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 committee at least 10 school days school days before the meeting.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee 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.

Governing Body's Complaints Appeal Panel Procedure

The procedure for an appeal is as follows:

- a) *The complainant and Executive Headteacher will enter the hearing together.*
- b) *The chair will introduce the panel members and outline the process.*
- c) *The complainant will explain the complaint.*

- d) *The Executive Headteacher and panel will question the complainant.*
- e) *The Executive Headteacher will explain the school's actions.*
- f) *The complainant and panel will question the Executive Headteacher.*
- g) *The complainant will sum up their complaint.*
- h) *The Executive Headteacher will sum up the school's actions.*
- i) *The chair will explain that both parties will hear from the panel in writing within 14 days.*
- j) *Both parties will leave together while the panel decides.*
- k) *The clerk will stay to assist the panel with its decision making.*

The committee will consider the complaint and all the evidence presented. The committee 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 committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant, the Executive Headteacher, the Chair of the Governing Body, the Chair of the Trustees with a full explanation of their decision and the reason(s) for it, in writing, within 14 school days.

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by Ernesettle Community School.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

Stage 2 will be heard by a committee of independent governors.

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 Ernesettle Community School will take to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

Further Action

If the complainant believes the school 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 Department for Education after they have completed Stage 3.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by the school. They will consider whether the school has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD.

The Education and Skills Funding Agency (ESFA)

The Education and Skills Funding Agency (ESFA) handles complaints about academies. Before escalating an academy complaint to the ESFA, you should first complain to the academy. You should follow the academy's complaints procedure.

If you want ESFA to consider whether your complaint has been dealt with properly by an academy, you must use the online enquiry form and tick the box that says complaint.

The role of the ESFA is to consider whether the academy followed the correct process. The ESFA will not investigate the academy's decision.

The ESFA will not normally consider complaints received more than 12 months after a decision or the academy's last action.

The ESFA reserve the right not to consider complaints that:

- are, or have been, subject to legal action
- are malicious (that is, they are without sufficient grounds and serve only to cause annoyance)
- use obscene, racist or homophobic language
- contain personally offensive remarks about members of our staff
- are repeatedly submitted with only minor differences after we have fully addressed the complaint

The ESFA may only be able to help if you are unable to complain, or are not satisfied with how the academy handles your complaint because the academy:

- does not have a complaints procedure
- did not provide a copy of its complaints procedure when requested
- does not have a procedure that complies with statutory regulations
- has not followed its published complaints procedure
- has not allowed its complaints procedure to be completed

The ESFA cannot change an academy's decision about a complaint. The role of the ESFA is to make sure the academy handles your complaint properly by following a published procedure.

The ESFA are not able to help with:

- a child or young person's statement of special educational need

- the quality of education or leadership, or concerns affecting the school as a whole, which are addressed through OFSTED inspections (see the schools inspection guide for parents)
- discrimination. You can raise complaints about this with Equality Advisory Support Service
- data protection. You can raise complaints about this with Information Commissioner's Office
- exam malpractice or maladministration. Any complaints should be raised with Office of Qualifications and Examinations Regulation (Ofqual) or the relevant awarding body
- child protection (safeguarding). Issues should be raised with your local authority designated officer (LADO) and/or the Director of Children's Services using the report child abuse to local council GOV.UK page)
- criminal cases. Please report these to the police

The ESFA have separate guidance about academy independent admission appeal panel complaints.

You can contact the ESFA for more information via the schools complaints form which is accessible online at: <https://www.gov.uk/government/publications/complain-about-an-academy>

5. MANAGING SERIAL AND UNREASONABLE COMPLAINTS

The Inspire Multi Academy Trust is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with our 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.

To ensure that all employees have the confidence that the Trust will deal with all instances of abuse, aggression and violence in a robust and proactive manner, we have adopted a zero tolerance approach to protect staff:

Verbal and physical acts of aggression or intimidation towards employees of the school will not be tolerated.

- An employee is entitled to refuse to deal with any individual, either in person or on the phone, who does not communicate and behave in a calm and reasonable way.
- The employee will inform the individual that they will not deal with them under the present circumstances, terminate the conversation and then report to their line manager (or member of SLT) who will make a decision on the action to be taken, according to the severity of the incident.
- Any incident of verbal or physical abuse or intimidation will be dealt with before any associated complaint is investigated.
- Withdrawal of access to the school for those perpetrating incidents of verbal or physical abuse, aggression and violence where appropriate.
- PCSO/Police action where necessary.

The Inspire Multi Academy Trust defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- 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
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on

- 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 school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the school that relates to their complaint, while the 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.

Whenever possible, the Executive Headteacher or Chair of Trustees will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking.

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

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from the school.

6. VEXATIOUS COMPLAINTS

Where you contact us to re-open an issue which has already been dealt with under the complaints policy, the Chair of Trustees will contact you to inform you that the matter has already been dealt with and the matter is considered closed. Where further correspondence is received on the same matter, this may be considered vexatious and the school will be under no obligation to respond to that correspondence.

7. GOVERNING BODY – REVIEW AND MONITORING COMPLAINTS

- The school will review and evaluate all complaints no matter how far they are taken or what the outcome to ensure that similar problems are avoided in the future or to see if they could have been managed any more effectively.
- The Trustees will review the complaints policy every year.
- This Policy will be published on the school/academy website.
- This Policy will be circulated to Trustees, Local Governing Bodies and the Senior Leadership Team.

School Reporting Forms

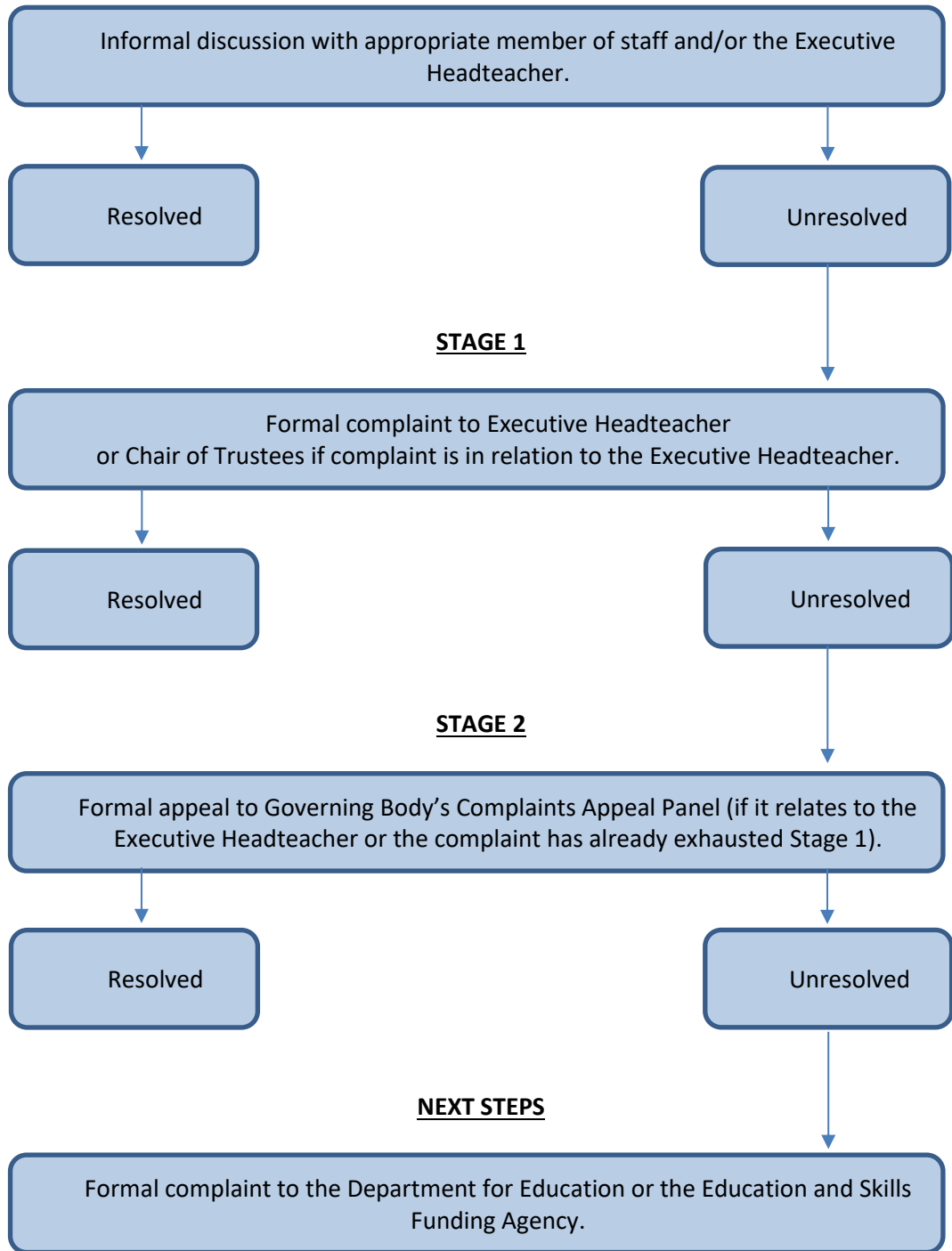
This form is designed to help you ask the Executive Headteacher to arrange an investigation of your complaint or to ask the Chair of Trustees to arrange further investigation if you are dissatisfied with the Executive Headteacher's response to your complaint.

Data Protection Act – Personal information provided by complainants will be treated as confidential. It will be kept secure and not provided to anyone unless they are allowed to see it by law. Analysis will be restricted to types of complaints and individual complainants will not be identified. The analysis will be reported to the Governing Body on an annual basis. The reporting will include identifying particular trends of complaints, which may require some change in the school's procedures.

Please complete the form in Appendix A and return it to the main reception. The Administrator will acknowledge receipt and explain what action will be taken.

A Staff Reporting Form is also available.

COMPLAINTS PROCEDURE FOR SCHOOLS – PROCESS DIAGRAM



Appendix A: Reporting Form

Please complete and return to either: Mr. Aaron Meredith (Executive Headteacher), Mrs. Carol Wood (Chair of Governors/Trustees), Mrs. Angela Treseder (Clerk to the Governing Body).

Your name:			
Pupil's name:			
Your relationship to the pupil:			
Your address:			
Your postcode:			
Your telephone number (daytime):			
Your telephone number (evening):			
Please give details of your complaint:			
What action, if any, have you already taken to try and resolve your complaint. (Who did you speak 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:			
Your signature:			
Date:			
OFFICIAL USE			
Date acknowledgement sent:			
By who:			
Complaint referred to:		Date:	

8. ROLES AND RESPONSIBILITIES

Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
 - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
 - interviewing staff and children/young people and other people relevant to the complaint
 - consideration of records and other relevant information
 - analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The headteacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator (this could be the headteacher / designated complaints governor or other staff member providing administrative support)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, headteacher, Chair of Governors, Clerk and LAs (if appropriate) to ensure the smooth running of the complaints procedure
- be aware of issues regarding:

- sharing third party information
- additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.

Clerk to the Governing Body

The Clerk is the contact point for the complainant and the committee and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example; stage 2 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

Committee Chair

The committee's chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting

- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted

- they liaise with the Clerk (and complaints co-ordinator, if the school has one).

Committee Member

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so

No governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.

- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant

We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.

- many complainants will feel nervous and inhibited in a formal setting

Parents/carers often feel emotional when discussing an issue that affects their child.

- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting

Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.

The committee should respect the views of the child/young person and give them equal consideration to those of adults.

If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.

However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.

- the welfare of the child/young person is paramount.