



Complaints Policy

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Author Initials	RP
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(This policy supersedes all previous Complaints Policies)

Note: depending on the nature of the complaint, it may be investigated or heard by a body other than the Head Teacher and LGB. See Appendix 1.

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1. Introduction

- 1.1 Schools value the generally good relations they enjoy with parents and the community. These good relations are based on mutual respect and a willingness to listen to other points of view. It is very rare that concerns cannot be resolved through informal discussion. When this is not possible, the complaints procedure provides a framework for all concerned to express and resolve concerns and thus to improve provision.
- 1.2 It is in the best interest of all parties that any concern is expressed and resolved quickly and at the earliest possible stage.
- 1.3 There are specific procedures for certain other complaints (e.g. SEN statements, accusations of child abuse, exclusions) which must be followed in those cases - this procedure is intended for those complaints which do not appear to fall into any of the existing categories.

2. Stage 1 – Informal Resolution

- 2.1 Many enquiries and concerns can be dealt with satisfactorily by the teacher, the Head, the Trust's Business Manager or other members of staff without the need to resort to a formal procedure. Each school values informal meetings and discussions.
- 2.2 There is no suggested time-scale for resolution at this stage given the importance of dialogue through informal discussion although it would be expected that most issues would be resolved within 10 school days.
- 2.3 All schools are happy to receive suggestions and to talk about concerns which help them identify areas of success and areas in which they could improve. Where a concern is brought to the school's attention it can often be resolved with a single conversation. Sometimes an issue is more complex and will take more than one discussion to resolve.
- 2.4 Occasionally despite the best efforts of all parties these discussions do not resolve the concern, which then may become a complaint.

3. Stage 2 - Investigation by Head Teacher of Executive Head Teacher

- 3.1 Where informal resolution of concerns has not been successful, the complainant is asked to confirm the complaint in writing to the Head Teacher (or appropriate person - see Appendix 1) and it will be acknowledged in writing. The Head Teacher copies relevant papers to any member/s of staff named in the complaint.
- 3.2 If the complaint is not resolved by the Head Teacher, then the complainant is asked to follow a procedure for mediation. This involves referring the complaint to a Parent Governor. The complainant is also given a copy of the full complaints procedure at this point. If the complaint is still not resolved after mediation, then it will move to Stage 3.

4. Stage 3 - Complaint to the Governing Body

- 4.1 This can be made only if the complainant has:
- sought to resolve the concern through approaches to the school as described in stages 1 and 2
 - allowed reasonable time (normally no more than two school weeks) for investigation of the concern
 - accepted any reasonable offer by the school to discuss the result of the investigation
 - taken part in any process of mediation offered by the school
 - put the complaint clearly in writing (normally within two months of the event)
- 4.2 The complainant writes to the governing body clerk at the school requesting a meeting of the complaints panel. Enclosed with the letter is a copy of the written complaint submitted at the earlier stages, indicating which matters remain unresolved. No new complaints may be included.
- 4.3 Each governing body is responsible for setting up a panel to hear the complaint.
- 4.4 The panel consists of three governors who have not previously been involved in dealing with the complaint. The Head Teacher is not a member of the panel and at least one member is independent of the management or running of the Trust or school.
- 4.5 Investigations at this stage are normally completed within 20 school days of receipt of the complaint, unless there are circumstances that require a longer investigatory period. The complainant is informed in writing should more time be required.

- 4.6 Any documents from either the complainant or the school/Trust to be considered by the panel, and the names of any witnesses or friends who might attend must be received by the clerk at least seven school days before the meeting. Copies of all papers submitted plus the agenda are distributed at least five school days before the meeting date. Relevant papers are copied to any member/s of staff named in the complaint.
- 4.7 The complainant may bring a friend, interpreter or advocate to the meeting.
- 4.8 If teachers or other members of staff are asked by the Head Teacher to be present at a complaints committee meeting, they have a right to bring a friend or professional representative.
- 4.9 It is not appropriate for a student to attend, unless he/she is bringing the complaint on his/her own behalf being over the age of eighteen.
- 4.10 The panel considers the complaint on the basis of the papers they receive and what is said at the meeting. In the event of either party not attending the meeting, the panel has discretion to proceed or to adjourn at any stage.
- 4.11 **The committee can:**
- uphold the complaint in full or in part, and make recommendations to the governing body for action
 - or**
 - decide to recommend no action be taken **and** give reasons for the decision
- 4.12 Having come to a decision about the complaint, the committee may additionally refer issues of principle or general practice to another forum, such as the governing body, or to an individual such as the Head Teacher.
- 4.13 The clerk sends the complainant, Head Teacher, and ESW CEO a letter with the outcome of the meeting within seven days of the meeting.
- 4.14 The CEO has the right, under this procedure, to have a representative present at all stages of the governing body complaints panel meeting and to have a copy of all associated paperwork.
- 4.15 No further appeal to the governing body is available in the matter of the complaint.

- 4.16 In respect of a grievance arising from a member of staff, this is heard separately under existing grievance procedures.

5. Further Dissatisfaction

- 5.1 If at the end of the procedure the complainant remains dissatisfied with the outcomes where:

- there is undue delay or the Trust did not comply with this complaints procedure when considering the complaint, or
- the Trust is in breach of its funding agreement with the Secretary of State, or
- the Trust has failed to comply with any other legal obligation.

- 5.2 then the Education & Skills Funding Agency who are responsible for education in academies may be able to offer guidance and advice and can be contacted at:

- 5.3 EFA Complaints, Chief Executive's Office, 53-55 Butts Road, Earlsdon Park, Coventry CV1 3BH, or email: complaints.efa@education.gov.uk

6. Review of Policy

- 6.1 This policy is reviewed every three years by the Trust Board.

Appendix 1

Complaint about	Refer to	Panel
School issue or staff	Head Teacher	Local Governing Body
Head Teacher	CEO	Local Governing Body
Shared Services issue or staff	Trust Business Manager	ESW Board
ESW Executive staff	CEO	ESW Board
CEO	Trust Chair	ESW Board
Members of Local Governing Bodies	Chair of LGB	Local Governing Body
Chairs of Local Governing Bodies or Directors	Trust Chair	ESW Board
Trust Chair	CEO	ESW Board