

Complaints Policy & Procedure

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This policy applies to any matter (other than matters relating to admissions and exclusions which have their own processes) which has been raised with an academy by parents of pupils as a matter of concern but which has not been capable of resolution informally and which the complainant or the academy considers should be dealt with on a formal basis.

Stage 1 – Informal Resolution

The Trust will publish guidance on how matters of concern should be raised on an informal basis. Generally, it is expected that where the matter relates to a pupil it will have been raised with the relevant school staff member before a request is made to deal with it under this policy. If a matter is not resolved at the informal stage then a complainant may take it to the formal stage.

It is a precondition to the operation of this policy that the complainant shall have made reasonable attempts to seek an informal resolution and shall have acted in relation to the matter in a reasonable and measured way consistent with the Turner Schools Behaviour Code adopted from time to time. The Chair of the Local Governing Body shall have a discretion, which will be exercised reasonably, not to allow a complaint to be pursued where this precondition has not been met.

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

Stage 2 – Formal Resolution at Local Level: Investigation by a member of the Senior Leadership Team

1. The complainant must put the complaint in writing, addressed to the Head of School/Principal, setting out briefly the facts and stating what it is that the complainant considers should have been done or where the school/academy has not met reasonable expectations. A complaint will be acknowledged by the academy within 48 hours.
2. An investigation will be carried out by a member of the Senior Leadership Team of the academy; which may include the offer of a meeting with the complainant. The investigator will speak to others involved. Whenever reasonably possible, any meeting with the complainant will take place within 21 school days of the written complaint being received.
3. The investigator will put her/his findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done within 21 school days of any meeting with the complainant; if no meeting is arranged it will be within 21 school days of the written complaint being received.

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

Where a complaint is in relation to a Principal or Head of School, the complaint needs to be directed to the CEO, or DCEO by delegated authority by the CEO. If the complaint is in relation to the CEO, the complaint should be made to the Chairman of the Board.

Stage 3 – Panel Hearing

1. The Complaints Panel of the Academy Trust will consider all complaints not resolved at Stage 2.
2. The Complaints Panel must comprise at least three people, which will include one person who is independent of the Academy Trust and any of its academies.
3. The Complaints Panel may also include one or more persons from the following categories *:
 - (i) A member of the local governing body of the academy where the complaint originated from;
 - (ii) A member of a local governing body from another academy within the Academy Trust;
 - (iii) A member of the Board of Directors from the Academy Trust;
 - (iv) A senior member of school staff and/or a senior member of the Trust Central Team

* The panel members cannot have been involved in informal resolution or the subject of the complaint.

4. None of the members of the Complaints Panel will have been directly involved in the matters detailed in the complaint.
5. The Clerk will invite the academy to put in writing its response to the complainant's reasons. The academy will provide this within 21 school days. At the end of that period (whether or not the academy has responded) the Clerk will convene a meeting of the Complaints Panel. That meeting will be held as quickly as practicable given the need to find a date that is reasonably convenient for the complainant, the academy and the members of the Complaints Panel. Whenever possible, the meeting will be held within 21 school days of the end of the academy's response time. At any meeting, the complainant will be entitled to be accompanied by a friend but legal representation will not be allowed.
6. The meeting is not a court case, it will be held in private, and will be as informal as circumstances allow. The complainant will have the opportunity to put her/his reasons for dissatisfaction and to expand on them but may not introduce reasons that were not previously put in writing. The academy will have the opportunity to present its views and each side, as well as the Panel members, will be able to ask questions. The complainant will have the opportunity to make final comments to the Panel.

7. The Panel may make findings and recommendations and a copy of those findings and recommendations will be
 - (i) sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about; and
 - (ii) available for inspection on the academy premises by the Trust, the Head of School /Principal / Co-Principal.
8. The Panel will formulate its response as quickly as reasonably possible, aiming to do so within 10 school days, and the Clerk will notify all concerned.

Serial or persistent complainants

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

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

Where a complaint is brought against a member of the Local Governing Body, the Chair of the Local Governing Body will investigate the complaint (or appoint another member of the Local Governing Body to do so) in the same way as in the first stage of the formal process at **Stage 2**.

If the complaint is against the Chair of the Local Governing Body, then the CEO or a member of the Trust Board will investigate as outline in Stage 2.

If the complaint is against a member of the Board of Directors, then the Chair of the Board, (or in the case of a complaint against the Chair the CEO will investigate the complaint (or appoint another member of the Board to do so) in the same way as in the first stage of the formal process at **Stage 2**.

In exceptional circumstances the Chair of the Board of Directors may at his or her absolute discretion determine that a complaint against a Principal, Executive Principal, or member of the Local Governing Body should be dealt with at Board level and if so determined the Chair of the Board of Directors will oversee **Stage 2**.

Complaints Relating to Fulfilment of the EYFS Requirements

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

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

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

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

Complaints from parents/carers of children with special educational needs concerning the provision made at the school (SEN Policy).

The normal arrangements for the treatment of complaints at Turner Schools are used for complaints about provision made for special educational needs. We encourage parents to discuss their concerns in the first instance with the class teacher, then SENCO or SLT (Senior Leadership Team), Head of School/Executive Principal, to resolve the issue before making the complaint formal to the Chair of the Local Governing Body.

If the complaint is not resolved after it has been considered by the governing body, then a disagreement resolution service or mediation service can be contracted. If it remains unresolved after this, the complainant can appeal to the First-tier Tribunal (Special Educational Needs and Disability), if the case refers to disability discrimination, or to the Secretary of State for all other cases.

There are some circumstances, usually for children who have a Statement of SEN where there is a statutory right for parents to appeal against a decision of the Local Authority. Complaints which fall within this category cannot be investigated by the school.

Record Keeping

A written record will be kept of all complaints that were resolved at the formal stage of the complaints procedure. Records will contain details of whether the complaint was resolved at stage 2 or whether it proceeded to a stage 3 panel hearing. The action taken by the academy or the Academy Trust as a result of a complaint (regardless of whether they are upheld) will also be recorded. All correspondence, statements and records relating to individual complaints dealt with under the formal procedure will be kept confidential and retained for a minimum of 6 years following the completion of the complaints process.

Confidentiality

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

Education and Skills Funding Agency (ESFA)

Once the complaints process is concluded (or a complaint has been terminated due to undue delay or failure to lodge within the time stated in the policy) the matter is closed. If the complainant is still not satisfied then they may contact the ESFA. There is an online procedure at www.gov.uk or you may write to the ESFA at Cheylsmore House, Department for Education, 5 Quinton Road, Coventry, CV1 2WT

Please note, Ofsted do not investigate complaints unless the school/Trust's Complaints Policy has first been exhausted.