



# COMPLAINTS POLICY

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## **1. PURPOSE**

- 1.1 This policy explains how the Trust will deal with complaints related to any of its schools or any community facilities or services that the schools provide.
- 1.2 All time limits stated in this policy will be met where reasonably practicable. Where it is not reasonably practicable to adhere to a particular timescale, the complainant will be informed of any revised timescales.

## **2. INFORMAL RESOLUTION**

- 2.1 Generally, it is expected that where a complaint relates to a student it will have been raised with the student's Form Tutor, Head of Year, Head of Department or member of the School Leadership Team 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.
- 2.2 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 complaint in a reasonable and measured way. The Chair of the Trust shall have a discretion, which will be exercised reasonably, not to allow a complaint to be pursued where this precondition has not been met.
- 2.3 Where the matter is not resolved at the informal stage, the complainant may elevate it to the formal stages set out below.

## **3. STAGE 1: INVESTIGATION BY A MEMBER OF THE SENIOR LEADERSHIP TEAM**

- 3.1 A complaint under Stage 1 must be made in writing, addressed to the Headteacher of the relevant school, setting out the facts and stating what it is that the complainant considers should have been done or where the school has not met reasonable expectations.
- 3.2 An investigation will be carried out by a member of the Senior Leadership Team of the school, which may include the offer of a meeting with the complainant. The investigator will speak to others involved. A meeting with the complainant will take place within 15 school days of the written complaint being received.
- 3.3 The investigator will put her / his findings in writing and will indicate what, if any, steps should be taken to resolve the matter. This will be done within 15 school days of any meeting with the complainant. If no meeting is arranged, it will be within 15 school days of the written complaint being received.

- 3.4 Any complaint relating to the Headteacher of a school must be raised in the first instance with the CEO who will, if an informal resolution cannot be reached, designate a member of the Local Governing Body to investigate in the same way as in the first stage of the formal process outlined above.
- 3.5 Where the complainant remains dissatisfied she / he may request the complaint is dealt with at Stage 2. 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.

#### **4. STAGE 2: CEO**

- 4.1 A complaint under Stage 2 must be made in writing to the CEO of the Trust, setting out the facts and stating what it is that the complainant considers should have been done or where the school has not met reasonable expectations.
- 4.2 The CEO may appoint a member of the Local Governing Body of the relevant school to investigate the complaint. The investigation may include the offer of a meeting with the complainant. Any meeting with the complainant will take place within 15 school days of the written complaint being received.
- 4.3 The investigator will put her / his findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done within 15 school days of any meeting with the complainant. If no meeting is arranged it will be within 15 school days of the written complaint being received.
- 4.4 Where the complainant remains dissatisfied she / 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, what remedies are being sought and be lodged within 10 school days of the complainant receiving the findings in writing. The request must be addressed to the Clerk to the Local Governing Body.

#### **5. STAGE 3: PANEL HEARING**

- 5.1 The Complaints Panel of the Trust will consider all complaints at Stage 3.
- 5.2 The Complaints Panel must comprise at least three people, which will include one person who is independent of the management and running of the Trust and any of its schools.

- 5.3 The Complaints Panel may include one or more persons from the following categories:
- A member of the Local Governing Body of the school from where the complaint emanated;
  - A member of a Local Governing Body from another school within the Trust;
  - A member of the Board of Trustees from the Trust.
- 5.4 None of the members of the Complaints Panel will have been directly involved in the matters detailed in the complaint.
- 5.5 The Clerk to the Trust will invite the school to put in writing its response to the complaint. The school will provide this within 15 school days. At the end of that period (whether or not the school 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 school and the members of the Complaints Panel. Whenever possible, the meeting will be held within 15 school days of the end of the school's response time. At any meeting, the complainant will be entitled to be accompanied by a friend. Legal representation will not be allowed.
- 5.6 The meeting is not a court case, it will be held in private, and will be as informal as circumstances allow. The complainant will have the opportunity to put her / his reasons for dissatisfaction and to enlarge on them but may not introduce reasons that were not previously put in writing. The school will have the opportunity to put its side of things and each side, as well as the Panel members, will be able to ask questions. The complainant will have the opportunity to make final comments to the Panel.
- 5.7 The Panel may make findings and recommendations and a copy of those findings and recommendations will be:
- sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about; and
  - available for inspection on the school premises by the Trust, the Headteacher of the relevant school and the CEO.
- 5.8 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.

## **6. ATTENDANCE AT A COMPLAINTS PANEL HEARING**

- 6.1 The Complaints Panel will only proceed if the complainant and / or their representative attend. If the complainant does not confirm attendance or fails to attend on the day without compelling reasons, the Complaints Panel will not proceed and the complainant will lose their right to the complaint being heard. Any further attempt to re-open the matter will be considered as falling under the serial / persistent complaint section as below.

## **7. SERIAL OR PERSISTENT COMPLAINANTS**

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

## **8. RECORD KEEPING**

- 8.1 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 1, Stage 2 or whether it proceeded to a Stage 3 panel hearing. The action taken by the school or the Trust as a result of a complaint (regardless of whether they are upheld) will also be recorded.

## **9. CONFIDENTIALITY**

- 9.1 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.