



# **Nexus Education Schools Trust**

## **Complaints Procedure**

### **Bickley Primary School**



**Date: June 2018**

**Review Date: June 2021**

# Complaints Procedure

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## 1. Introduction and Statement of Intent

Bickley Primary School and Nexus Education Schools Trust takes all concerns or complaints seriously. Taking informal concerns seriously at the earliest stage reduces the numbers of formal complaints and reflects the commitment to working effectively with all members of the community.

This policy aims to ensure that:

- as far as possible all concerns should be dealt with as informally as possible;
- all complaints are dealt with as quickly and sensitively as possible, and by the person best able to do so;
- where a formal process is required, the steps involved are clearly outlined; and
- people are aware of their responsibilities

This document sets out the school's procedure for addressing and dealing with complaints. The school aims to reassure parents and carers who have a child in the school that:

- any complaint against the school will be dealt with in a fair, open and responsive way, with the aim of achieving a speedy and satisfactory resolution; and that
- the school recognises that a willingness to listen to questions and criticism and to respond positively can lead to improvements in school practices and provision for pupils.

The complaints procedure has three stages:

Stage One	an informal stage, where your complaint is dealt with informally between you and members of staff	Acknowledgement of the issues raised within 3 school days.  Response and completion within 10 school days.
Stage Two	an investigation stage, where your written complaint is investigated and considered by the Head teacher or the Chair of the Local Committee	Written complaint received within 5 days of the informal meeting.  Acknowledgement by the school of the complaint form within 5 days of receipt.  Written response by the school within 10 school days.
Stage Three	a Local Committee Complaints Panel is convened to consider your original written complaint and the way it has been dealt with by the school	Letter requesting review of complaint within 10 days of the completion of stage two.  Acknowledgement of the letter and original complaint form within 5 days.  Notification by the clerk to relevant parties for 5 days to prepare report and submit further evidence.  Panel convened within 20 days of receipt by the clerk of the letter and original written complaint for stage three.  At least 5 days prior to the hearing all parties receive documentation.  Written response of the panel's decision with 10 school days of the hearing.

Generally any complaint will move through the process sequentially, with the vast majority of complaints being addressed at Stages One or Two. The Headteacher may, if they think it appropriate having regard to the nature and seriousness of the matter, choose to deal with your complaint by going straight to Stage Two or Stage Three.

## **2. Scope and Applicability**

A complaint is defined as a clear statement of dissatisfaction about any specified aspect of the school's work. Complaints may be made by telephone, e-mail, in person or by letter at stage 1 and through the complaints form for Stage two and three.

This procedure deals with day-to-day complaints about the management and/or operation of the school and which fall outside the scope of the following procedures:

Complaints which have an alternative statutory avenue of appeal or complaint (for example, admissions, exclusions, SEN assessments, Section 409 Curriculum Complaints and those covered by the Education (School Records) Regulations 1989).

Serious complaints which must be dealt with by specific employment or other procedures (e.g. allegations of professional abuse, criminal offences or those that are potentially staff disciplinary issues).

If at any stage in the procedure it becomes apparent that your complaint falls outside this general complaints procedure, you will be informed.

A parent or carer who has a child at Bickley Primary School can use this procedure to make a complaint against the school.

If you initially complain to a member of the Local Committee, they will refer you to the Headteacher and explain the school's procedure. Individual Local Committee members cannot deal with complaints in case they are needed to sit on a Local Committee Complaints Panel at a later stage of the process.

An Issue related to a number of Trust schools should be referred in writing to the Clerk or the Chair of the Trust Board.

## **3. The Policy**

### **Concerns and Complaints**

It is important to distinguish between a "concern" and a "complaint". Most concerns can be made informally to the initial member of staff and be resolved without the need to go through the formal complaint procedures. Initial concerns should be made with the school as soon as possible to allow the matter to be considered carefully, potentially including (as appropriate to the issue that has been raised):

Clarifying the nature of the concern and what remains unresolved from the perspective of the person raising the concern.

Establishing what has happened so far, and who has been involved, including seeking input from those who have been involved.

A concern may arise (for example)

- from uncertainty regarding the application of school rules or disciplinary procedures.
- from misunderstanding or misrepresentation of an incident which has taken place inside or outside the classroom.
- where a parent/guardian believes that their child has been misunderstood or treated unfairly and feels it necessary to raise the matter so that steps may be taken to restore goodwill.
- where a parent/guardian believes that their child is being bullied or has suffered some form of discrimination and brings the matter to the school's notice so that action can be taken to prevent a recurrence.

Parents are to be advised that concerns should normally be raised with the member of teaching staff most directly involved in the situation giving rise to the concern. Parents/carers will appreciate that it is helpful if a concern is expressed as soon as possible after the relevant incident. The staff member will respond as soon as practicable, and in any case within three working days.

A complaint may arise (for example)

- when an individual has previously raised a concern and is not satisfied with the response offered
- where an individual has serious disquiet over an incident that has taken place or a decision made in the school and believes the school has fallen short of appropriate standards.

Complaints should be recorded, either by the individual writing to the Headteacher or completing the Complaint Form at the end of this document for instance), or by a member of staff writing a meeting note, following a Stage 1 meeting with the individual. Note – if the complaint concerns the Headteacher any correspondence should be addressed to the Chair of Local Committee.

All complaint correspondence, including all Complaint Forms, will be held by the Admin Manager (or equivalent). All correspondence and material relating to a complaint is confidential.

#### **4. Investigating Complaints**

The person investigating the complaint will make sure that they:

- establish what has happened so far, and who has been involved;
- clarify the nature of the complaint and what remains unresolved;
- meet with the complainant or contact them (if unsure or further information is necessary);
- clarify what the complainant feels would put things right;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct the interview with an open mind and be prepared to persist in the questioning; and
- keep notes of the interview.

#### **5. Resolving Complaints**

At each stage in the procedure the person attempting to resolve the complaint will keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is a valid complaint (in whole or in part) without admitting liability. In addition, it may be appropriate to offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again; and
- an undertaking to review School policies in light of the complaint.

Complainants will be encouraged to state what actions they feel might resolve the problem at any stage. An admission that the School could have handled the situation better is not the same as an admission of negligence.

At all stages those hearing the complaint will attempt to identify areas of agreement between the parties, and to clarify any misunderstandings that might have occurred in order to create a positive atmosphere in which to discuss any outstanding issues.

At any stage the Headteacher is able to consider whether a complaint is vexatious, unreasonably persistent, or whether the complainant has engaged or is engaging in unreasonable behaviour in accordance with the section of this policy entitled 'Vexatious and abusive complaints'. If the Headteacher considers that the provisions of the section of this policy entitled 'Vexatious and abusive complaints' apply they may act accordingly to ensure any legitimate complaint is appropriately investigated while ensuring that any unreasonable elements or behaviour is managed.

## 6. Stage One: Complaint heard by a member of staff (Informal Stage)

It is in the interests of everyone that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the school can be crucial in determining whether their complaint will escalate.

Staff need to be sensitive to any potential, actual or perceived conflicts of interest or difficulties of a particular member of staff being involved in hearing and investigating the complaint.

You can raise concerns and complaints with members of staff either in person, by telephone, by email or by letter. Any written record of the complaint will be kept confidential. At this stage, it may be unclear whether you are making a complaint, seeking information or simply need to better understand a situation

We aim to resolve most complaints at this stage in a speedy and effective way. It is normally expected that complaints will be acknowledged within three school days, and the Stage 1 process completed within ten school days. If it is clear that the process is going to take longer than this, the reasons for this should be explained to the complainant.

If the concern cannot be resolved immediately, you will be able to discuss the complaint with an appropriate member of staff (for example, the Headteacher, Head of School, Assistant Head teacher or Senior teacher). If there is a complaint against the Headteacher, the discussion will be with the Chair of the Local Committee.

During any informal discussion with the member of staff:

- You may be accompanied by a friend or relative.
- The member of staff dealing with the concern should make sure that you are clear as to what action or monitoring (if any) of the situation has been agreed.
- If necessary, the designated member of staff will make further enquiries with the aim of resolving your complaint as soon as possible. You will be informed of the outcome of those enquiries and what action, if any, the school proposes to take.
- If the informal process has been exhausted and no satisfactory solution has been found, you can request that the complaint will be investigated formally.

## 7. Stage Two: Complaint heard by an appropriate senior member of staff appointed by the Head Teacher (Formal Investigation)

If you want the complaint to be investigated formally, you must put the complaint in writing to the Headteacher using the form attached in the Appendix; giving details of either the areas of the complaint left outstanding following Stage One or concerning the Stage One process. You should do this promptly and in any event **not more than five school days after your informal meeting** or, if later, when you are informed of the outcome of the informal stage.

The Headteacher will nominate a senior member of staff to consider these issues.

The Headteacher may formally reject further investigation of the complaint if, in their judgment, the complaint:

- Was received too long after the alleged incident for realistic investigation to take place;
- Does not identify specific actions or incidents that are capable of being investigated;
- Refers only to issues that have already been determined;
- Raises only minor matters that should have been resolved in discussion with the staff member involved
- Is vexatious or abusive (see section entitled 'Vexatious or abusive complaints' for further information).

The person investigating your complaint at Stage Two will also be dependent on who dealt with it at Stage One:

- The person investigating your complaint at Stage Two will:
- acknowledge your written complaint within five school days of receipt;
- meet you to discuss the complaint;
- investigate the complaint; and
- send you a written response, normally within ten school days of receipt of your written complaint. If a considered response is not possible within this timescale, a letter will be sent explaining the reason for the delay and providing a revised date for the expected response.

The designated senior member of staff will consider both the original complaint and the process followed during Stage one.

The designated senior member of staff will put their judgement and rationale, including details of the process followed, in writing to the complainant. As well as reasons relating to the subject of the complaint, the senior member of staff may formally reject a complaint for reasons listed on the preceding page as reasons why the Headteacher may reject further investigation.

It is normally expected that the Stage two process would be completed **within ten school days** of the Headteacher initiating Stage two. If it is clear that the process is going to take longer than this, the reasons for this should be explained to the complainant.

If the designated senior member of staff makes any recommendations regarding changes to school processes as a result of the investigation, the Headteacher will be responsible for reviewing these recommendations and implementing them where appropriate. Acceptance of recommendations will be at the Headteacher's discretion unless the investigation reveals processes that do not comply with statutory legislation, Funding Agreement, or DfE/ESFA requirements when the Headteacher will be required to ensure compliance as soon as possible.

The response will also explain the process for your complaint to be referred to the Local Committee Complaints Panel if you are unsatisfied with the outcome of Stage Two.

The member of staff should complete the Complaints Form and pass this to the Admin Manager for retention alongside their written response to the complainant. The correspondence is confidential.

## **8. Stage Three: Appeal by the Local Committee' Complaints Panel**

Complaints only rarely reach this level. However, when the need arises, the Local Committee Complaints Panel (LCCP) will be convened to consider your complaint.

If you are dissatisfied with the outcome of Stage Two, you must write to the Clerk to the Local Committee requesting that the matter be reviewed by the LCCP (Stage Three). Letters should be sent via the School Office for the attention of the Clerk to the Local Committee. You must do this **within ten school days of receiving the written response to the Stage Two** investigation. You should include your original complaint form. You will receive a **written acknowledgement from the Clerk within five school days**.

The Chair of the Local Committee may reject the request for a Panel Hearing if, in their judgment, the request:

- Is vexatious or abusive; and / or
- Refers only to issues that have already been reasonably determined and with no reasonable basis (such as new information) upon which an appeal hearing could reach a different decision.

### **Before the LCCP hearing**

For the hearing you may:

- submit any **further documents** in addition to the complaint form. These documents must be made available to the Clerk to the Local Committee **within five school days of your receiving the acknowledgement letter**.
- call witnesses, subject to the approval of the Chair of the LCCP.
- be accompanied by a friend or relative.

These rights will also be explained in the acknowledgement letter.

The Clerk to the Local Committee will send a copy of your complaint and the letter of acknowledgement to the Chair of the Local Committee and the Headteacher. **Either the Headteacher or the Chair of the Local Committee must prepare a written report to the LCCP in response to the complaint within five school days of the notification from the Clerk.** The Headteacher or Chair of the Local Committee (as the case may be) should include with their report any documents they wish to refer to at the hearing and details of any witnesses they wish to call.

The Clerk on receipt of the letter and original complaint form will then convene a LCCP hearing having consulted with the Local Committee as to the composition of the LCCP (see 'Who will be on the LCCP' below). The Clerk to the Local Committee will consult with the participants as to convenient times and **endeavour to convene the hearing within twenty school days of your letter** to the Clerk to the Local Committee

At least five school days before the hearing, the Clerk to the Local Committee will send you, the Chair of the Local Committee, the Headteacher/Head of School and each LCCP member:

- the date, time and venue for the hearing.
- the names of all parties and witnesses (if any) to attend the hearing.
- all relevant documents to be referred to at the hearing.

### **What can the Local Committee Complaints Panel do?**

The LCCP can;

- dismiss your complaint in whole or in part
- uphold your complaint in whole or in part
- decide on the appropriate action to be taken to resolve the complaint
- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

### **Who will be on the Local Committee Complaints Panel?**

The Chair of the Local Committee, or a nominated LC member, will convene a Complaints Panel.

This Panel will comprise at least three individuals, none of whom will have been directly involved in previous consideration of the complaint.

The LCCP should consist of two members of the Local Committee and one Panel Member who is independent of the running and management of the school or the MAT. The Panel members will elect their Chair.

It is important that the appeal hearing is independent and impartial and that it is seen to be so. If it is deemed by the Clerk to the Local Committee that there are not a sufficient number of Local Committee members who are judged to be impartial in this case, additional independent Panel Members may take the place of Local Committee members from other trust schools

No member of the LCCP should have had prior involvement with the complaint or the circumstances surrounding it. As the Chair of the Local Committee may be involved at an earlier stage in the procedure (particularly where the complaint is about the Headteacher) it is preferable not to include them as a member of the LCCP.

It is not considered appropriate for the Headteacher to be a member of the LCCP. The role of the Headteacher would be to attend the LCCP hearing to give evidence. They may invite those members of staff directly involved in the matters raised by you to attend (subject to the approval of the Chair of the LCCP).

In deciding the make-up of the LCCP, the Local Committee will try and ensure that it comprises a cross-section of the LC and independent members and is sensitive to issues of gender, race, colour, disability, religion, nationality and ethnic or national origin



## **What happens at the hearing?**

The aim of the hearing, which should be held in private, will always be to resolve your complaint and achieve reconciliation between you and the school. However, it has to be recognised that you might not be satisfied with the outcome if the hearing does not find in your favour. It may, however, be possible to establish the facts and make recommendations which will satisfy you that your complaint has been taken seriously and considered in the proper way.

The LCCP will acknowledge that you may feel nervous and inhibited in a formal setting. For example, parents and carers often feel emotional when discussing an issue that affects their child. Although the hearing will follow the structured order below, the Chair of the LCCP will ensure that the proceedings are as welcoming as possible.

The LCCP hearing will be conducted as follows:

- After introductions, you will be invited to explain your complaint, followed by your witnesses' statements.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- The Headteacher may question both you and your witnesses after each has spoken.
- The Headteacher will then be invited to explain the school's actions and be followed by the School's witnesses.
- You may question both the Headteacher and the School's witnesses after each has spoken.
- Members of the LCCP may ask questions at any point.
- You will then be invited to sum up your complaint.
- The Headteacher is then invited to sum up the School's actions and response to the complaint.
- The Chair of the LCCP explains that both parties will hear from the LCCP within a set timescale.
- Both parties leave together while the LCCP decides on the issues.

The introduction of new information or witnesses, previously not notified to all parties, would be reason to adjourn the meeting so that everyone has time to consider and respond to the new information.

### ***The Role of the Clerk***

The LCCP should be clerked. The Clerk to the Local Committee will be your contact point for the complaint at Stage Three.

Their job is to:

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- collate any written material and send it to all of the parties in advance of the hearing;
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings;
- notify all parties of the LCCP's decision.

### ***The Role of the Chair of the LCCP***

To ensure that:

- no member of the LCCP has a vested interest in the outcome of the proceeding or any involvement in an earlier stage of the procedure;
- the remit of the LCCP is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- you are put at ease, particularly if you are a parent or carer who is not used to speaking at such a hearing;
- the layout of the room and the setting is appropriate and not adversarial.
- the issues are addressed;
- key findings of fact are made;
- the hearing is conducted in an informal, although structured, manner with each party treating the other with respect and courtesy;
- each side is given the opportunity to state their case and ask questions;

- written material is seen by all parties. If a new issue arises all parties should be given the opportunity to consider and comment on it;
- the LCCP is seen to be open minded and acting independently
- the meeting is properly minuted.

The Panel will, once the presenters have left the hearing, give careful consideration to the substance of the complaint, consider all the views expressed, and decide the outcome. The decision will be made by a simple majority of the Panel; a unanimous decision is not required.

The panel can:

- Dismiss the complaint in whole or in part.
- Uphold the complaint in whole or in part.
- Decide on appropriate action to resolve the complaint; or
- Recommend changes to the school's systems or procedures.

The Panel will notify you of the Local Committee Complaints Panel decision

A **written decision** will be sent to you, the Chair of the Local Committee and the Headteacher by the Chair of the LCCP **within ten school days of the hearing**. The letter will explain that the decision of the LCCP is final but that complaints can be taken to the Secretary of State for Education under the Education Act 1996, on the grounds that:

- a Local Committee is acting or proposing to act unreasonably; or
- the Local Committee has failed to discharge its duties under the Act.

The decision of the panel is binding. A copy of the report and the findings will be provided within ten working days of the hearing to the complainant, the Headteacher, the Chair of the Local Committee, and, where relevant, to the person complained about. This will be available for inspection.

If the Complaints Panel makes any recommendations regarding changes to school processes as a result of the investigation, the Headteacher will be responsible for reviewing these recommendations and implementing them where appropriate. Acceptance of recommendations will be at the Headteacher's discretion unless the investigation reveals processes that do not comply with statutory, Funding Agreement, or DfE/ESFA requirements when the Headteacher will be required to ensure compliance as soon as possible.

## 9. Record Keeping

We keep records of all conversations and meetings with you to resolve complaints, as well as copies of relevant correspondence and notes confidential. These are all stored securely and separately from individual pupil records. We may refer back to these documents if there are recurring complaints about the same or similar matters. The retention of the documents is in line with the trust's GDPR policy.

**If a complainant is dissatisfied after Stage three**

## 10. The Trust

Within the Nexus Education Schools Multi Academy Trust (NEST) **each School has its own complaints policy**. Each policy has been agreed with the school's Local Committee and the Trust. Clear stages for complaints, and requirements, are given in each policy.

Where the academy-based complaints procedures have been completed and the complainant does not feel their complaint has been dealt with to their satisfaction by the academy they may contact the Multi Academy Trust in writing to request a review of the complaint investigation.

Generally, the Multi Academy Trust will only look into complaints about academies that fall into the following two areas.

**A) The academy did not comply with its own complaints procedure when considering a complaint or the academy's complaints procedure does not comply with statutory requirements.**

The Multi Academy Trust cannot review or overturn an academy's decisions about complaints but will look at whether the academy considered the complaint appropriately. The Multi Academy Trust will generally only do this after a complaint has been through the academy's own procedure but may investigate sooner if there is evidence of undue delays by the academy. If the Multi Academy Trust finds that an academy did not deal with a complaint appropriately it will request that the complaint is reconsidered. Similarly, if the academy's complaints procedure does not meet statutory requirements then the Multi Academy Trust will ensure this is put right.

**B) The academy has failed to comply with a duty imposed under its funding agreement with the Secretary of State.**

The Multi Academy Trust will seek to resolve any concerns regarding potential or actual breaches of the funding agreement with the academy. The Multi Academy Trust will also consider evidence that an academy has failed to comply with any other legal obligation placed on it.

Investigations will not usually take place 12 months or more after the decisions or action taken by the academy unless the complainant has good reason for the delay in making the complaint.

The Multi Academy Trust reserves the right not to investigate complaints considered to be vexatious or malicious or where the Multi Academy Trust is satisfied with the action that the academy has already taken or proposes to take to resolve the complaint.

**Complaints to the Multi Academy Trust are in writing addressed to:-**

**P Chandler**, Chair of Trustees

C/o Nexus Education Schools Trust, Worsley Bridge Primary School, Brackley Road, Beckenham, BR3 1RF

**Where the complaint is regarding the Chair of Trustees, please write to:-**

**S Dossetter**, Company Secretary

C/o Nexus Education Schools Trust, Worsley Bridge Primary School, Brackley Road, Beckenham BR3 1RF

## **11. External Agencies**

It is possible for the complainant to raise their complaint with Ofsted or the Department for Education:

**Ofsted:** Complaints to Ofsted can only be submitted if the school's complaints procedure has already been followed to its conclusion and the complainant remains unsatisfied. Complaints to Ofsted should occur if the complainant believes that the school is not run properly and should be inspected. Ofsted will not consider complaints regarding individual students or admissions.

**Department for Education:** Complaints to the Department for Education (DfE) can only be submitted if the school's complaints procedure has already been followed to its conclusion and the complainant remains unsatisfied. Complaints to the DfE should be able to demonstrate that the school has not followed its complaints policy and procedure, or that the school is in breach of its Funding Agreement or other legal obligation, and requires submission of evidence to support the complaint. There is DfE guidance available on the internet outlining the types of complaint that the DfE will consider and how the DfE will act upon receipt of the complaint.

### **Vexatious and abusive complaints**

Bickley Primary School and Nexus Education Schools Trust takes the responsibilities to investigate concerns and complaints seriously and will do so professionally.

The School and Trust does not expect staff to tolerate unacceptable behaviour by complainants, which would include behaviour which is abusive, offensive or threatening.

The School and Trust defines unreasonably persistent and vexatious complainants as those complainants who, because of the frequency or nature of their contacts with the school, hinder the ability to investigate their original complaint. The description 'unreasonably persistent' and 'vexatious' may apply separately or jointly to a particular complainant.

An unreasonably persistent and/or vexatious complainant may:

- arise from a historic and irreversible decision or incident;
- have insufficient or no grounds for their complaint, or refuse to specify the grounds for their complaint, and appear to be making the complaint only to annoy or for undeclared reasons;
- refuse to co-operate with the complaints investigation process;
- refuse to accept that issues are not within the power of the school or Trust to investigate, change or influence;
- make what appear to be groundless complaints about the staff dealing with the complaint(s);
- make an unreasonable number of contacts with the school or Trust, by any means, about the complaint;
- make persistent and unreasonable demands or expectations of staff and/or the complaints process;
- harass, abuse, or otherwise seek to intimidate staff dealing with their complaint;
- raise subsidiary or new issues during the investigation;
- introduce trivial or irrelevant new information and expect this to be taken into account;
- change the substance or basis of the complaint without reasonable justification;
- deny statements he or she made at an earlier stage;
- electronically record meetings and conversations without the prior knowledge and consent of the other person involved;
- refuse to accept the outcome of the complaint process after its conclusion and/or denying that an adequate response has been given;
- make the same complaint repeatedly, perhaps with minor differences, and insist that the minor differences make these 'new' complaints which should be put through the full complaints procedure;
- persistently approach the school or Trust (and potentially other parties such as the Local Authority) through different routes about the same issue; and
- combine some or all of these features.

If the situation is challenging but it is possible to proceed, staff should avoid giving unrealistic expectations on the outcome of the complaint. In instances where there is a complete breakdown of relations between the complainant and the school, a decision may be made to restrict contact.

The options that may be considered include:

- requesting contact in a particular form (e.g. – letters only);
- requiring contact to take place with a named member of staff (e.g. – Headteacher);
- asking the complainant to enter into an agreement about his/her future contact with the school; and
- informing the complainant that if he/she still does not follow this advice (as stated above) any further correspondence that does not present significant new matters or new information will not necessarily be acknowledged but should be kept on file.

If the complainant tries to reopen an issue that has already been examined through the complaints procedure, the Chair of the Local Committee is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

## **12. Responsibilities under the policy**

### **Board of Trustees**

The Board of Trustees is responsible for:

- monitoring the level and nature of complaints and reviewing the outcomes and associated lessons to learn annually (and report to the Board of Trustees as appropriate or as required) or earlier if so determined by the Chair.

### **Chief Executive**

The Chief Executive is responsible for:

- the effective implementation of this policy and procedures;
- advising Local Committees and Trustees about the composition of Panels for Stage three;
- reporting to the Board of Trustees about the number and nature of complaints, as well as actions taken in response and lessons learned; and
- ensuring that the policy and procedure is monitored and reviewed, with recommendations for revision to the Board of Trustees as appropriate.

### **Local Committee**

The Local Committee is responsible for:

- establishing the Panel Hearing for Stage three; and
- monitoring the level and nature of complaints and reviewing the outcomes and associated lessons to learn annually (and report to the Board of Trustees as appropriate or as required) or earlier if so determined by the Chair.

### **The Chair of the Local Committee is responsible for:**

- receiving complaints at Stage three of the complaints procedure;
- nominating the individuals for the Panel Hearing in Stage three and ensuring that it includes one person who is independent from the management and running of the school; and
- checking that the correct procedure is followed.

### **The Chair of the Panel at Stage three is responsible for ensuring that:**

- the parties understand the procedure;
- the issues are addressed;
- key findings of fact are established;
- complainants are put at ease;
- the hearing is conducted as informally as possible;
- the panel is open-minded and acts independently;
- no member of the panel has a vested interest in the outcome, or has been involved in the issues previously;
- all parties have the chance to be heard;
- any written material is seen by all parties; and
- related Child Protection and Data Protection rules are observed and maintained.

### **Headteacher**

The Headteacher is responsible for:

- the overall internal management of the procedures;
- Identifying who will consider complaints at Stage two of the procedure
- ensuring that the procedures are monitored and reviewed and reports made to the Local Committee and / or CEO /Board of Trustees as appropriate.

## **The Clerk**

The Clerk is responsible for:

- fulfilling the administrative duties within the time scales.
- aiding effective communication between all parties.
- ensuring compliance to the policy.

## **Admin Manager**

The Admin Manager is responsible for:

- Retaining, in a confidential manner (except when requested by the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them) the material relating to complaints, including Complaints Forms, all written judgements from stages 1, 2 and 3, and the requests from the complainant to initiate stages 2 and 3, so that they can be made available as appropriate.

## **All staff**

All staff are responsible for:

- listening to any concerns brought to them by parents/carers and students;
- reassuring them that they will be dealt with as soon as possible by the appropriate member of staff;
- informing the relevant staff of the concerns being raised; and
- passing any complaints received from other people who are not parents/guardians or students to the Admin Manager.

## **13. Monitoring and Review**

This policy will be reviewed on an annual basis with minor changes made as appropriate.

A full review will be carried out every 3 years

## Appendix 1

### Form to notify formal School Complaint (Stage Two and/or Stage Three)

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Post Code:

Day time telephone number:

Evening telephone number:

Email:

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.

Signature:

Date:

Official use

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

This form needs a continuation sheet (appendix 2) to enable the school to record the actions taken and the final outcomes.



## Appendix 2

<i>School use only</i>		<i>Timeline</i>
Date acknowledgement sent:		Within 3 working days of receipt
Who sent acknowledgement:		
Signature		
Please complete the following, acknowledge the stages of the complaints procedure that have been followed and make any comments as necessary		
Stage 1 (complaint considered by staff)	Date: Signature:	Completed within 10 school days of complaint being received
Stage 2 (complaint considered by senior member of staff)	Date: Signature:	Completed within 10 school days of Stage 2 being initiated
Stage 3 (Appeal Hearing)	Date: Signature:	Appeal to be held within 10 school days of Stage 3 being initiated