

Policy for Complaints

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Name of Responsible Committee: Board of Trustees

Trade Union Representative
Approval: NA

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Target Audience: All key stakeholders

Related Documents:

References: Section 29 of the Education Act 2002

Revision History

Version	Date	Summary of Revision	Revision Author
1	July '16	Implementation	
2	Sept '17	Reviewed and recommended for approval	CJH
3	Sept '18	Reviewed: • GDPR updated (pg. 4) • EFA changed to ESFA (pg. 6) Recommended for approval	CJH

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General principles

The trust and schools within it, work hard to provide an outstanding service to, and have a good relationship with children, parents and members of the local community. At the same time, it is recognised that on occasions an individual or group may have a concern or complaint against the Trust, a member of staff or a school itself. It is important that the Trust or schools do not become defensive when this happens but instead see this as an opportunity to learn. When a concern or complaint occurs, the following principles will apply:

- Every concern or complaint is taken seriously;
- Resolution of problems will be by informal means wherever possible;
- Each complaint will be handled by the most appropriate member of staff;
- Procedures will be impartial and non-adversarial;
- Complaints will be dealt with as swiftly as possible;
- Confidentiality of correspondence, statements and records will be respected at all time, except where the Secretary of State (or someone acting on his/her behalf) requests access to them. In these circumstances legal advice will be sought in respect of third-party information and responsibilities under GDPR;
- A Restorative Practice approach will be taken in which all staff who deal with complaints will have had training;
- The Trust or a school will not respond if a complaint is raised again which has already been dealt with and resolved through the complaints procedure.

Stage 1 – informal procedures

Every effort is made to resolve a concern or complaint at this stage. A phone call or a meeting with a member of staff should be sufficient to resolve most concerns. This initial response should be made within 2 working days. On occasions a senior member of staff might become involved to help resolve an issue. The complainant may wish to meet with a member of the Trust's Board of Trustees or a school's Senior Leadership Team to discuss their concerns. The member of staff will make clear their response to the concerns raised and may agree certain actions to help resolve the complaint. Where an approach is made directly to a member of a school's Local Governing Body, the Governor will refer the complainant to a member of a school's Senior Leadership Team.

Stage 2 – formal complaint

Where the complainant is not satisfied with the response at stage 1, they can choose to take the matter to the formal complaints stage. They should put their complaint in writing, addressed to the Head of School, Head Teacher, Executive Head Teacher or CEO. The Complainant should

also be asked what they would like to see happen in order to resolve their complaint. The person responsible for assessing the complaint and deciding the outcome is the Head of School, Head Teacher, Executive Head Teacher or CEO. Where the complaint is about the Head of School, Head Teacher, Executive Head Teacher or CEO, the Chair of Governors or Chair of Trustees will act in this capacity. The formal complaint will be investigated and the decision conveyed in writing within 15 working days of receiving the formal complaint.

The Head of School, Head Teacher, Executive Head Teacher, CEO, Chair of Governors, or Chair of Trustee can decide to:

- Dismiss the complaint in whole or part;
- Uphold the complaint in whole or 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 issues of a similar nature do not recur.

The number and nature of formal complaints will be reported at the next full Governors' meeting via the Head Teacher's report to be included in Part B. No details of individuals will be contained in this report.

Stage 3 (final stage) – governors' complaints committee (panel hearing)

If the complainant is not satisfied with the outcome of stage 2, they can choose to take the matter to the next stage. They should request this in writing to the Chair of Governors of the individual school or the Chair of Trustees. The Chair will convene a meeting of the Governors' or Trusts' complaints panel within 15 working days of receiving this letter.

The Governors' or Trusts' complaints panel will contain 3 or 5 members and for schools, will be chaired by a member of the Academy's Board of Trustees, in the case of the Trust it will be chaired by a person independent of any school or the Trust itself. It will not contain Governors or Trustees who have had previous involvement with this complaint. It will contain 1 member who is independent of the management and running of the school i.e. another school's Head of School, Head Teacher, Executive Head Teacher, CEO and the school's Chair of Governors. The complainant will be invited to attend the meeting/panel hearing and may be accompanied if they wish. The complainant will be given reasonable notice of the date of the panel hearing and clear information on the process to enable them to attend will be given.

It is vital that during the meeting all parties act in a reasonable way. Any behaviour which is perceived as aggressive or threatening will not be tolerated. If a complainant behaves unacceptably they may be asked to leave the meeting.

The Governors' or Trust's complaints committee can decide to:

- Dismiss the complaint in whole or part
- Uphold the complaint in whole or part
- Decide on the appropriate action to be taken to resolve the complaint
- Recommend changes to the school's or Trust's systems or procedures to ensure that issues of a similar nature do not recur

Once the Complaints Committee has reached a decision the Chair will inform all parties of the decision, in writing, within 5 working days. At this point it should be made clear that the complaints procedure has been exhausted. Each school within the Trust should provide the Board of Trustees with an annual report to inform them of what has been learnt from all representations, including compliments, concerns and complaints made to their school in order to share best practice.

The role of the Education and Skills Funding Agency

As the school is an Academy, the Local Authority cannot investigate complaints. The role of the ESFA is to check whether the complaint has been dealt with properly by the academy. The ESFA will not overturn an academy's decision about a complaint. However, if the ESFA find an academy did not deal with a complaint properly, they will request the complaint is looked at again from the appropriate stage.



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Record of Formal Complaints

Date complaint was received:		Stage of Complaint:	2 nd	3 rd
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Date of response given:		Decision (see coding below)	
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Notes about the decision

Date complaint was received:		Stage of Complaint:	2 nd	3 rd
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Date of response given:		Decision (see coding below)	
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Notes about the decision

1. Dismiss the complaint in whole or part
2. Uphold the complaint in whole or part
3. Decide on the appropriate action to be taken to resolve the complaint
4. Recommend changes to the school's systems or procedures to ensure that issues of a similar nature do not recur.

Flow Chart of Timescale Responses

