

The Great North Wood Education Trust

Complaints Procedure

Summary

This document explains:

- Who may make a complaint
- How a complaint is defined
- How a formal complaint can be made about the standard of teaching, the conduct, actions, or lack of action, of members of the teaching or support staff employed at the school
- How a complaint can be made about the Headteacher
- How the school will deal with that complaint and the time scales for responding
- How the school will try to settle an complaint by informal means
- How, if necessary, a hearing to consider a complaint will work
- What things are not covered by this procedure because separate arrangements apply
- What you can do if you are not happy with the outcome at school level

The Great North Wood Education Trust

Complaints Procedure

1. Context and Scope

The Great North Wood Education Trust is required to have a Complaints Procedure by virtue of The Education (Independent Schools Standards) Regulations 2010. This policy is used by all schools in the trust.

The use of this policy is open to parents and carers as well other members of our community and the wider public.

The Trustees delegates responsibility for the management of the complaints policy to individual schools. The Local Governing Bodies who will have responsibility for monitoring the operation of this policy. The exception is where the complaint is about the Chief Executive Officer. (See 6.2 below)

This procedure does not cover complaints concerning admissions, SEND, exclusion, curriculum, collective worship, staff grievance or discipline, which are covered by separate legislation and procedures.

2. Availability

A copy of the complaints procedure is available from the Academy's Reception and on the school websites:

www.rosendale.cc

www.the-elmgreen-school.org.uk

3. Aims and Objectives

Our trust aims to be fair, open and honest when dealing with any complaint. When considering a complaint we endeavour to deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding and, in all cases, we put the interests of the child above all other issues. We provide sufficient opportunity for any complaint to be fully discussed, and then resolved.

4. Anonymous complaints

There is no duty for Head Teachers or Governors to pursue anonymous complaints because there is no named complainant to respond to. However, if such complaints allege or imply a serious matter that may be to the detriment of the school, then it will be at the Headteacher's discretion to consider whether a case needs further investigation or not. Further investigation may be carried out in exceptional circumstances such as child protection issues or bullying allegations, where the school would involve appropriate external agencies.

6.5. Complaints Procedure

Our Complaints Procedure will:

- Encourage resolution of problems by informal means wherever possible;
- Be easily accessible and publicised
- Be simple to understand and use
- Be impartial
- Be non-adversarial
- Allow swift handling with established time limits for action and keeping people informed of the progress
- Ensure a full and fair investigation by an independent person where necessary;
- Respect people's desire for confidentiality
- Address all the points at issue and provide effective response and appropriate redress, where necessary
- Provide information to the Academy's Senior Leadership Team to enable services to be improved

6. Dealing with complaints

We have adopted a three-stage process for dealing with complaints:

Stage 1 – Complaint heard by member of staff (informal resolution)

Stage 2 – Complaint heard by Headteacher

Stage 3 – Complaint heard by Complaint Panel

See Appendix A

6.1 Complaints about the Headteacher

Where the complaint concerns a Headteacher, and has been directly addressed to the Chair of the Local Governing Body, the matter should be referred to the Headteacher and a response invited. The Chair will then respond to the complainant, who, if they are still dissatisfied, can request a panel hearing.

6.2 Complainants about the Chief Executive Officer

Where the complaint concerns the Chief Executive Officer in that role and not that of Headteacher, the matter should be referred to the Chair of the Board of Trustees, the matter should be referred to the Chief Executive Officer and a response invited. The Chair will then respond to the complainant, who, if they are still dissatisfied, can request a panel hearing. The Chair of the Board of Trustees cannot consider complaints about the individual in their headteacher role. These should be addressed to the Chair of the Local Governing Body.

7. Informal Resolution

We recognise the need to be clear about the difference between a concern and a complaint. Taking informal concerns seriously at the earliest stage reduces the numbers that develop into formal complaints.

We aim to ensure that concerns are handled, if at all possible, without the need for formal procedures. Our formal complaints procedure is only necessary if efforts to resolve the concern informally are unsuccessful. In most cases a class teacher or an individual delivering the service, will receive the first approach. Our staff development process includes training to help staff resolve issues on the spot, including apologising where necessary.

8. Formal Procedures

Our formal procedures are invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

The Headteacher of each school has overall responsibility for the operation and management of the school complaints procedure. In practical terms the Headteachers will nominate a senior member of staff to deal with matters on a day-by-day basis and to investigate any complaint. Once the investigation is complete the Headteacher will review the findings and decide on the best way to proceed.

8.1 Investigating Complaints

Whenever a formal complaint is received it will be investigated. At each stage, the person investigating the complaint will make sure that they:

- establish what has happened so far
- 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
- keep notes of the interview.

8.2 Resolving Complaints

At each stage in the procedure we will remain mindful of ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. 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
- an undertaking to review school policies in light of the complaint.

We encourage complainants 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 times we will seek to identify areas of agreement between the parties and clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

8.3. Vexatious Complaints

There will be occasions when, on proper investigation a complaint is deemed to be unfounded, malicious or vexatious or when despite all stages of the procedure having been followed the complainant remains dissatisfied and wishes to reopen the same issue. In these circumstances the Chair of the Governing Body will inform the complainant in writing that the procedure has been exhausted and that the matter is closed. They will be offered the opportunity to pursue their complaint with the Education and Skills Funding Agency (ESFA). See section

8.4 Time-Limits

Complaints are considered, and resolved, as quickly and efficiently as possible. We set realistic time limits for each action within each stage. However, where further investigations are necessary, new time limits may be set and the complainant sent details of the new deadline and an explanation for the delay.

8.5 Panel Hearing

Where the complainant is dissatisfied with the outcome of the school's investigation, the Headteacher should send the written request for the complaint to be heard by the Local Governing Body to the Chair of Governors and an acknowledgement to the complainant.

The procedure for a panel hearing is contained in Appendix 2

8.6 Further Stages

There is no further right of appeal to the Local Governing Body or Academy Trust. All complainants have the right, as a last resort, to contact the Education and Skills Funding Agency if they are not satisfied with the way in which their complaint has been considered. The ESFA have produced guidance on making a complaint which you access using the link below. This document also provides a link to the online complaint form.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/557407/Complain_about_an_academy.pdf

9. Monitoring and Evaluation

The Trust Board will review this policy at least every three years and assess its implementation and effectiveness. The policy will be promoted and implemented throughout each Academy in the Trust.

The governors monitor the complaints procedure, in order to ensure that all complaints are handled properly.

Governors take into account any local or national decisions that affect the complaints process, and make any modifications necessary to this policy. This policy is made available to all parents, so that they can be properly informed about the complaints process.

APPENDIX A: THE FORMAL COMPLAINTS PROCEDURE

The Stages of Complaints

Our formal complaints procedure has well-defined stages. At each stage we clarify exactly who will be involved, what will happen, and how long it will take. There may, on occasion, be the need for some flexibility; for example, the possibility of further meetings between the complainant and the member of staff directly involved and further investigations may be required by the Principal after a meeting with the complainant.

Our school-based stages are followed:

Stage one: complaint heard by staff member (though not the subject of the complaint);

Stage two: complaint heard by the Headteacher or nominee;

Stage three: complaint heard by a complaints appeal panel; (See Appendix B). The panel will consist of three people who have not previously been involved with the complaint, one of whom will be independent of the management and running of the school.

If a complaint concerns the conduct of the Headteacher or a governor or where the Headteacher or governor has been involved in the issue previously then the matter will be referred to a senior member of staff or member of the governing body, not previously involved. In some circumstances school reserves the right to refer the matter to an external body.

Managing and Recording Complaints

Recording Complaints

The progress of any complaint and the final outcome will be recorded by the school. A complaint may be made in person or in writing, which may include email). At the end of a meeting, if the complaint is made in person, the member of staff will ensure that the complainant and the school have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls will be kept and a copy of any written response added to the record.

Governing Body Review

The Governing Body will monitor the level and nature of complaints and review the outcomes on a termly basis to ensure the effectiveness of the procedure and make changes where necessary. Wherever possible, complaints information shared with the whole Governing Body will not name individuals.

We are committed to on-going improvement. Therefore as well as addressing an individual's complaints, the process of listening to, and resolving complaints will contribute to school improvement. When individual complaints are heard, we will identify any underlying issues that need to be addressed. The monitoring and review of complaints by the school and the Governing Body helps us in evaluating our performance.

Reference:

The Education (Independent Schools Standards) Regulations 2010.

The Governors Guide to the Law

APPENDIX B – PROCEDURE FOR A FORMAL PANEL HEARING

Complaints Hearing

The aim of the meeting should be to resolve the complaint and achieve a reconciliation between the school and the complainant.

The conduct of the meeting would be as follows:

The Chair of the panel will welcome the complainant, introduce the panel members and all other parties present and explain the procedure to be followed.

The Clerk to the Governors will be present to take minutes of the hearing.

- The Chair of the panel will invite the complainant to explain the complaint.
- The panel members may question the complainant about the complaint and the reasons why it has been made.
- The Headteacher will be invited by the Chair to question the complainant.
- The Headteacher will then be invited to make a statement in response to the complaint. If the Headteacher has not investigated the complaint, they may call upon the investigator to be present at the hearing.
- The panel members may question the Headteacher or designated investigator about the response.
- The complainant will be invited by the Chair to question the Headteacher/investigator.
- Any party has the right to call witnesses subject to the approval of the complaints panel. The panel members, the Headteacher and the complainant have the right to question these witnesses.
- The complainant will be invited by the Chair to make a final statement.
- The Headteacher or the designated investigator will be invited by the Chair to make a final statement.
- The Chair will explain to the complainant and the Headteacher/investigator that the panel will now consider their decision and a written decision will be sent to both parties within 10 working days. All parties will then be asked to leave the room except for the panel members and the clerk. They may be asked to remain in the vicinity if the panel wish to recall them to further clarify any issue.

The Complaints Panel will then consider the complaint and all the evidence presented and:

- reach a decision on the complaint and the reasons for it
- decide whether to accept the complaint in full or in part or to reject it
- if the complaint is accepted in whole or part decide upon the appropriate action to be taken to resolve the complaint. (There may be instances where this involves recommending the use of the disciplinary or capability procedures)
- where appropriate, suggest recommended changes to the schools 'systems or procedures to try to ensure that complaints of a similar nature are not made in the future.

The minutes of the meeting will be recorded and kept on file.

