



Complaints Procedure

Approved by:	Trust Board	Date: March 2023
Last reviewed on:	February 2020	
Next review due by:	March 2025	

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1. Aims

We have a strong commitment towards working in positive partnership across The Crompton House Church of England Multi Academy Trust. An academy is a busy place where there are many interactions between pupils, parents, carers and staff as part of the everyday life of the school. We have an ethos of respecting the rights of all members of the community and as part of our curriculum and teaching and learning we work to instill this in our children. From time to time something may go wrong, or you may think we can do something better.

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. Where an individual may feel that an issue has not been dealt with appropriately it is important, for all involved, that there is a clear and transparent process for a complaint to be looked into and followed up.

This Complaints Policy helps underpin the mission statement of Crompton House Multi Academy Trust, and each academy within the Trust. For the sake of clarity, any mention of the 'The Trust' includes pupils and staff working within any of the Crompton House Church of England Multi Academy Trust schools.

The aim of this policy is to ensure that a concern, difficulty or complaint is managed sympathetically, efficiently and at the appropriate level and resolved as soon as possible. Doing so is good practice, fair to those concerned and helps to promote parents' and students' confidence in each Academy's ability to safeguard and promote welfare. Academies will try to resolve every concern, difficulty or complaint in a positive way with the aim of putting right a matter which may have gone wrong and, where necessary, reviewing the Academy's systems and procedures in the light of the matters raised.

Each Academy needs to know as soon as possible if there is any cause for dissatisfaction. Parents and students should never feel – or be made to feel – that raising a concern, difficulty or complaint will adversely affect the student's future at the Academy, or place the student at a disadvantage in any way.

Our Trust aims to meet its statutory obligations when responding to complaints from parents of pupils at the school, and others.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect and courtesy
- Ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process

- Consider how the complaint can feed into school improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The school will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will ensure we publicise the existence of this policy and make it available on the school website.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

2. Legislation and guidance

This document meets the requirements set out in part 7 of the schedule to [the Education \(Independent School Standards\) Regulations 2014](#), which states that we must have and make available a written procedure to deal with complaints from parents of pupils at the school.

It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on [creating a complaints procedure that complies with the above regulations](#), and refers to [good practice guidance on setting up complaints procedures](#) from the Department for Education (DfE).

This policy complies with our funding agreement and articles of association.

In addition, it addresses duties set out in the [Early Years Foundation Stage statutory framework](#) with regards to dealing with complaints about the school's fulfilment of Early Years Foundation Stage requirements.

3. Definitions and scope

Definitions

The DfE guidance explains the difference between a concern and a complaint:

- A **concern** is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”. The school will resolve concerns through day-to-day communication as far as possible
- A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”

Scope

The school intends to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does **not** cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters

- Child protection allegations
- Appeals relating to internal assessment decisions for external qualifications
- Exclusion
- Allegations of abuse
- Whistle-blowing
- Provision of collective worship and religious education
- Staff grievances
- Staff discipline

Please see our separate policies for procedures relating to these types of complaint.

Arrangements for handling complaints from parents of children with special educational needs (SEN) about the school's support are within the scope of this policy. Such complaints should first be made to the class teacher or the SENCO in the school and they will then be referred to this complaints policy. Our SEN policy and information report includes information about the rights of parents of pupils with disabilities who believe that our school has discriminated against their child.

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

4. Roles and responsibilities

The complainant

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures
- Co-operate with the school throughout the process, and respond to deadlines and communication promptly
- Treat all those involved with respect
- Not publish details about the complaint on social media

The investigator

An individual will be appointed to look into the complaint, and establish the facts. They will:

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report to the headteacher or complaints committee which includes the facts and potential solutions

Clerk to the governing board (Stage 3 complaints only)

The clerk will:

- Be the contact point for the complainant and the complaints committee, including circulating the relevant papers and evidence before complaints committee meetings
- Arrange the complaints hearing
- Record and circulate the minutes and outcome of the hearing

Committee chair (Stage 3 complaints only)

The committee chair will:

- Chair the meeting, ensuring that everyone is treated with respect throughout
- Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case

5. Principles for investigation

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

Time scales

The complainant must raise the complaint within **14 days** of the incident causing concern. If the complaint is about a series of related incidents, they must raise the complaint within **14 days** of the last incident.

We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the next school day.

If at any point we cannot meet the time scales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay

Complaints about our fulfilment of early years requirements

We will investigate all written complaints relating to the school's fulfilment of the Early Years Foundation Stage requirements, and notify the complainant of the outcome within 28 days of receiving the complaint. The school will keep a record of the complaint (see section 10) and make this available to Ofsted on request.

Parents and carers can notify Ofsted if they believe that the school is not meeting Early Years Foundation Stage requirements, by calling 0300 123 4234 or 0300 123 4666, or by emailing

enquiries@ofsted.gov.uk. An online contact form is also available at <https://www.gov.uk/government/organisations/ofsted#org-contacts>.

We will notify parents and carers if we become aware that the school is to be inspected by Ofsted. We will also supply a copy of the inspection report to parents and carers of children attending the setting on a regular basis.

6. Stages of complaint (not complaints against the headteacher or governors)

Stage 1: Informal Resolution

The Trust academies will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

The complainant should raise the complaint within 14 days of the incident causing concern with the relevant member of staff as appropriate, either in person or by letter, telephone or email. This is usually the best and quickest way of resolving issues. If the complainant is unclear who to contact or how to contact them, they should contact the school office.

It is recommended that you make an appointment to speak to the teacher as soon as possible as this will give both parties the opportunity to talk about the issue in an appropriate manner and without interruption. The purpose of this meeting should be to establish the nature of the concern and to seek a realistic resolution to the problem. It is good practice for the teacher to make brief written record of the concern raised and any actions agreed. If you feel dissatisfied with the outcome of discussions with the teacher you should request an appointment to see the Headteacher or a relevant member of the schools Senior Leadership Team/ Head of Department. The purpose of this meeting is to establish the nature of the ongoing concern, what has been discussed with the class teacher so far and any actions arising from the initial meeting. It is in everyone's interest, particularly the child or children, for the concerns to be sorted out quickly and smoothly. However, it may be necessary for the Headteacher to investigate the concern further before they can offer suggestions to resolve the concern. In this case, it should be agreed on how and within what timescales all parties will be contacted.

The informal stage will involve a meeting between the complainant and the teacher or other relevant member of staff as appropriate.

If the complaint is not resolved informally, it will be escalated to a formal complaint.

Stage 2: Formal

How to raise a complaint

Formal complaints can be raised:

- By letter or email
- Over the phone
- In person
- By a third party acting on behalf of the complainant

The complainant should provide details such as relevant dates, times, and the names of witnesses of events, alongside copies of any relevant documents, and what they feel would resolve the complaint.

If complainants need assistance raising a formal complaint, they can contact the school office. This contact must be made within 10 working days of the last contact with the staff member.

The Headteacher (or designated member of the senior leadership team) will call a meeting or contact the complainant by telephone to clarify concerns, and seek a resolution. The complainant may be accompanied to this meeting, and should inform the school of the identity of their companion in advance.

The Headteacher (or other person appointed by the Headteacher for this purpose) will then conduct their own investigation.

In certain circumstances, the school may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, the school will notify the complainant as soon as they are aware, so that the complainant has the opportunity to arrange alternative accompaniment.

The written conclusion of this investigation will be sent to the complainant within 10 school days. Where this timescale proves unrealistic you will be informed in writing and given an estimate of how long it will take to provide a full response.

If the complainant wishes to proceed to the next stage of the procedure, they should inform the clerk to the governing board **within 10 working days**.

Stage 3: Complaint heard by the Governing Body's complaints appeal committee

How to escalate a complaint

Complaints can be escalated by contacting the clerk to the governing board or contacting in writing the Chair of the Governing Body:

- By letter or email
- Through a third party acting on behalf of the complainant

The clerk will need the details of the complaint as set out above, as well as details from the complainant on how they feel the previous stage of the procedure has not addressed their complaint sufficiently, and what they feel would resolve the complaint.

If the complainant wishes to proceed to the next stage of the procedure, they should inform the clerk to the governing board in writing within 10 working days of the last contact with the school regarding the same complaint.

Convening the Independent Complaints Panel

The review panel as a minimum will consist of three members, one member of the local governing board, a Director of the Board who doesn't have direct knowledge of the complaint and one person independent of the management and running of the Academy. These individuals will have access to the existing record of the complaint's progress.

The complainant must have reasonable notice of the date of the review panel; however, the review panel reserves the right to convene at their convenience rather than that of the complainant. The clerk will aim to find a date within 15 school days of the request, where possible.

If the complainant rejects the offer of 3 proposed dates without good reason, the clerk will set a date. The hearing will go ahead using written submissions from both parties.

Any written material and will be circulated to all parties at least 5 school days before the date of the meeting. The clerk should be advised prior to this names and details of any witnesses the complainant or the school wish to call upon.

At the meeting

At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied by a suitable companion if they wish. We don't encourage either party to bring legal representation, but will consider it on a case-by-case basis. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by their union.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called as appropriate to present their evidence.

The panel, the complainant and the school representative will be given the chance to ask and reply to questions. Once the complainant and school representatives have completed presenting their cases, they will be asked to leave and evidence will then be considered.

The panel will then put together its findings and recommendations from the case. The panel will also provide copies of the minutes of the hearing and the findings and recommendations to the complainant and, where relevant, the subject of the complaint, and make a copy of the findings and recommendations available for inspection by the headteacher.

The complainant must be allowed to attend the panel hearing and be accompanied by a suitable companion if they wish.

All those attending the hearing are expected to show courtesy, restraint and good manners. If the complainant, or the person accompanying them, is verbally or physically aggressive, the Chair may at his/her discretion adjourn, arrange a further meeting or terminate the hearing.

The outcome

The committee can:

- Uphold the complaint, in whole or in part
- Dismiss the complaint, in whole or in part

If the complaint is upheld, the committee will:

- Decide the appropriate action to resolve the complaint
- Where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future

The written conclusion of this investigation will be sent to the complainant. This stage would normally be expected to take no more than 20 school days.

Complaints to the Education Skills Funding Agency (ESFA)

Complaints about the Academy failing to comply with this procedure or failing to comply with any obligation in its Funding Agreement with the Secretary of State for Education may be made to the Education and Skills Funding Agency (ESFA). The ESFA will consider complaints that fall into any of the following three categories:

- Where there is undue delay or the academy did not comply with its own complaints procedure when considering a complaint
- Where the academy is in breach of its funding agreement with the Secretary of State
- Where an academy has failed to comply with any other legal obligation

The ESFA will normally only consider complaints when the process has been completed.

If complainants are not satisfied with the school's handling of their complaint, a complaint can be made to the ESFA by completing a complaints form which is available on the gov.uk website.

If the school did not deal with the complaint properly, it will be asked to re-investigate the complaint. If the school's complaints procedure is found to not meet regulations, the school will be asked to correct its procedure accordingly.

<https://www.gov.uk/government/publications/complain-about-an-academy/complain-about-an-academy>

7. Complaints against the Headteacher, a governor or the governing body

If a complaint is about the conduct of the Headteacher, a Trust Director or the Chief Executive Officer will investigate the complaint under **Stage 2** of this Complaints Policy instead of the Headteacher. The Chair of Directors will review the complaint under **Stage 3** of this Complaints Policy instead of the member of the local Governors.

The stages for complaints are as follows:-

- | | | |
|-----------|---|--------------|
| Stage 1 | : | Informal |
| Stage 2 | : | Formal |
| Stage 3.1 | : | Review panel |
| Stage 3.2 | : | Review Panel |

Complaints made against the headteacher or any member of the governing board should be directed to the clerk to the governing board in the first instance. If the complaint is about the headteacher or one member of the governing board (including the chair or vice-chair), a suitably-skilled and impartial governor will carry out the steps at stage 1 (set out in section above).

If the complaint is jointly about the chair and vice-chair, the entire governing board or the majority of the governing board, an independent investigator will carry out the steps in stage 2 (set out in section 6 above). They will be appointed by the governing board or trustees, and will write a formal response at the end of their investigation

If the complaint is jointly about the chair and vice-chair, the entire governing board or the majority of the governing board, a committee of independent governors will hear the complaint. They will be

sourced from local schools, the local authority or diocese and will carry out the steps at stage 3 (set out in section above).

The Chief Executive Officer of the Crompton House Multi Academy Trust must be informed about any investigation arising from a complaint against the Headteacher, and the outcome, within 5 working days.

Stage 3.2 – If you are not satisfied after Stage 3.1, write to the Chief Executive of the Trust on the attached Complaints Form. The Chief Executive will follow the same process as outlined above and convene a Complaints Panel.

If a complaint is about the conduct of the Chair of Governors, the Headteacher will consider the complaint under Stage 2 of this Complaints Policy as normal, and the CEO will review the complaint under Stage 3 of this Complaints Policy instead of the Chair of Governors. The Chair of the Trust Board must be informed about any investigation of the Chair of Governors, arising out of a complaint, and of the outcome, within 5 working days.

8. Persistent complaints

Unreasonably persistent complaints

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Has made the same complaint before, and it's already been resolved by following the school's complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- Knowingly provides false information
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refused to co-operate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out
- Changes the basis of the complaint as the investigation goes on
- Makes a complaint designed to cause disruption, annoyance or excessive demands on school time
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value

Steps we will take

We will take every reasonable step to address the complainant's concerns, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place. We may: Give the complainant a single point of contact via an email address

- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as [Citizens Advice](#)
- Put any other strategy in place as necessary

Stopping responding

We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns
- We have provided a clear statement of our position and their options
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from our school site.

9. Duplicate complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and the local process is complete
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint

If there are new aspects, we will follow this procedure again.

Complaint campaigns

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all of the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

10. Record keeping

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally at the individual academy, and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and records management policy and record retention schedule.

The details of the complaint, including the names of individuals involved, will not be shared with the whole governing board in case a review panel needs to be organised at a later point.

Where the governing board is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

The Trust Board should be made aware of the number and nature of complaints received by each school within the Trust.

11. Learning lessons

The Governing board/ Trustees and/or CEO will review any underlying issues raised by complaints with the Headteacher and/ or senior leadership team/heads of department, where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

12. Monitoring arrangements

The Governing board/ Trustees and/or CEO will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The Governing board/ Trustees and/or CEO will track the number and nature of complaints, and review underlying issues as stated in section 11.

The complaints records are logged and managed by the individual academy. For further information please contact the schools' business manager.

This policy will be reviewed by the Trust Board every 3 years.

13. Links with other policies

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Exclusions policy
- Staff grievance procedures
- Staff disciplinary procedures
- SEND policy and information report
- Privacy notices
- Staff Code of Conduct

Stage 3 Complaints Form Example see individual Academy Complaints Form

Your name:
Pupil name:
Your relationship to pupil:
Your address and postcode:
Your daytime telephone number:
Your evening telephone number:
Your email address:
Your complaint is:

What action have you already taken to try and resolve your complaint(s)?
(Who did you speak to and what was the response?)

What would you like as an outcome from your complaint(s)?

Re Are you attaching any paperwork? If so, give details here:

Your signature..... Date

Please complete and return to the school office in a sealed envelope addressed to the Headteacher/ Head of School/ Executive Headteacher, Clerk of the Local Governing Board or Company Secretary (as appropriate).

Office use

Date received

Date acknowledgement sent

Responsible member of staff

Complaint referred to:.....

Date.....

Appendix 2

Checklist for a Panel Hearing

The panel needs to take the following points into account:

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The headteacher or relevant member of the SLT may question both the complainant and the witnesses after each has spoken.
- The headteacher or relevant member of the SLT is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the headteacher or relevant member of the SLT and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The headteacher or relevant member of the SLT is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.
- The chair explains that both parties will hear from the panel within a set time scale.

School Complaints Procedure

Flowchart

Summary of Dealing with Complaints

