



# Complaints Policy & Procedure

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Last reviewed:	<b>March 23</b>
Agreed by Trustees	<b>27/3/23</b>
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## **1. Introduction**

1.1. The Trust is dedicated to providing the best possible education and support for all pupils within its schools. This means having a clear, fair, and efficient procedure for dealing with any complaints to or against a school, so that any issues that arise can be dealt with as swiftly and effectively as possible.

1.2. The Trust welcomes feedback on the services it provides. Should anyone be unhappy with any aspect of a school within the Trust, it is important that the Trust and relevant school learns about this. The Trust recognises there is a difference between a concern and a complaint. Taking informal concerns seriously at the earliest stage reduces the numbers that develop into formal complaints. The Trust aims to ensure that concerns are handled, if at all possible, without the need for formal procedures. The Trust's 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.

1.3. This policy outlines how complaints will be dealt with by the Trust and its schools in accordance with the requirements of The Education (Independent School Standards) (England) Regulations 2010. Where the term Headteacher is used this also relates to Head of School, depending on the structure in each individual school.

1.4. This policy will be followed in respect of all complaints by parents/carers against the Trust except in the following areas (where separate policies exist):

- child protection allegations;
- exclusions;
- admissions;
- complaints about statements of SEN/ EHC Plans;
- disciplinary issues relating to members of staff; and
- allegations of abuse.

1.5. Please note that anonymous complaints will not be examined under this or any complaints procedure.

1.6. Please note that should a complaint, informal or formal, reveal an issue for which other procedures exist (for example, child protection) then it will be dealt with under those procedures rather than as a complaint.

1.8. All relevant trust staff will be made aware of the Trust's complaints procedures and expected to review this policy regularly in order that they are familiar with our process of dealing with complaints and can be of the most assistance when an issue is brought to their attention.

## **Venture MAT Schools**

Our schools provides a high standard of education for all children and the headteacher and all other staff work very hard to build positive relationships with all parents. The schools are committed to seeking the views of all its stakeholders. We make every effort to listen to concerns and seek a mutually agreeable resolution wherever possible. However, we recognise that this may not always be possible and this policy aims to assist in these instances.

## **2. Stage 1 - Informal Resolution**

2.1. Many enquiries and concerns can be dealt with satisfactorily by the class teacher, the Head, the CEO or other members of staff without the need to resort to a formal procedure. The Trust values informal meetings and discussions and encourages parents and stakeholders to approach staff with any concerns they may have, and aims to resolve all issues with open dialogue and mutual understanding. If an individual has a concern that they would like to take up with the school/Trust they should initially inform a member of staff either in person, over the telephone or in writing. The

individual will then be invited to an informal meeting with the member of staff most appropriate for dealing with that concern.

2.2. There is no suggested time-scale for resolution at this stage given the importance of dialogue through informal discussion although it would be expected that most issues would be resolved within 10 school days.

2.3. Should face to face discussions appear unlikely to resolve matters, either party may initiate a move to the formal procedure at stage 2 onwards.

### **3. Stage 2 - Formal Written Complaints**

3.1. If a complainant does not feel that their concern has been dealt with as they would like, are unhappy with the outcome of the informal meeting or feel that the issue is serious enough that it warrants it, the complainant should set out the precise nature of the complaint in writing, using the form at the end of this policy and return this to the School Office. The complainant should keep a copy of this form and all other relevant correspondence.

3.2. The School Office will pass the complaint to the Headteacher. If the complaint is about the Headteacher it will be passed to the CEO and if the complaint is about the CEO it will be referred to the Chair of Trustees. Complaints against individual governors should be made to the clerk to the governing body, who will then arrange for the complaint to be heard by the chair of the LGB. Complaints against the chair, the entire governing body or complaints involving both the chair and vice chair should also be sent to the clerk, who will then determine the most appropriate course of action, which may be escalation to the trust board for investigation.

In all instances, the appropriate person should acknowledge the complaint in writing within 5 school days of receipt of the form. The Head/CEO (or the Chair of Trustees) will investigate the concerns and can choose to involve an appropriate additional member of staff or governor from the Local Governing Body (LGB), or a trustee. They will outline their decision if there is one to be made, and any action to be taken as a result of the complaint.

3.3. The Head/CEO (or the Chair of Trustees/local governing body) will invite the complainant to a meeting to discuss the issue outcome, possible solutions and subsequently to explain what has or will happen as a result of the complaint. If an additional person has aided the investigation, they can also be present at this meeting.

3.4. The Head/CEO (or the Chair of Trustees) will keep a record of all interactions with the complainant and other staff, meetings and decisions made in reference to the complaint.

3.5. If the complaint is an allegation of abuse or assault, a formal investigation will be instigated by the Trust or external child welfare authorities to whom the school reports. Please refer to our allegations of abuse against staff policy for an outline of this procedure.

3.6. The Head/CEO (or the Chair of Trustees) will respond to the complainant in writing within 15 school days from acknowledgement of the complaint, outlining their response to the complaint, and any action that has or will be taken. If the Head/CEO (or the Chair of Trustees) has decided not to take any further action on the issue, they will explain what they have decided, how they have reached this decision, and will outline the complainant's right to take the matter further and the steps to be taken.

3.7. The complainant has 15 school days to consider the outcome of their complaint at stage 2 and instigate stage 3. If no request for a complaints panel hearing is received within 15 school days it will be deemed that the decision is accepted and the complaint will be closed.

## 4. Stage 3 - Complaints Panel

4.1. If the complainant is dissatisfied with the outcome of their complaint at stage 2, they may lodge their complaint with the Chair of the individual school's Local Governing Body (LGB) in writing marked private and confidential (via the clerk) explaining their concern and the steps that have led up to them taking this course of action.

4.2. If the Chair of Governors is the subject of a complaint, or has reviewed the complaint under stage 2, the complainant should send the form to the Vice Chair of Governors.

4.3. The Chair of Governors will acknowledge the complaint, via the clerk and convene a panel of at least three people who have had no prior connection with the complaint. The panel must include one member who is independent of the management and running of the school and cannot be made up entirely of governors or trustees. This is to ensure that the panel has the benefit of an external source of scrutiny and challenge in its consideration of the complaint. The independent panel member should not be a trust member, trustee or employee of the school or be any person who has a clear connection with the school (eg. the trust's legal advisors). An LGB governor from another school in the trust would count as an 'independent' person as long as they have no conflict of interest or prior knowledge of the complaint. If insufficient Governors are available, trustees can be called upon to ensure adequate numbers. The panel will hear the complaint within 20 school days of the request for a panel hearing.

4.4. The hearing will be scheduled on a school day, within the hours of **8.30am to 4.30pm**. One alternative date will be offered if the complainant is unable to attend the first scheduled date.

4.5. The complainant is entitled to attend the panel hearing, and be accompanied. The complainant should notify the clerk in advance if they intend to bring anyone to the hearing.

4.6. The procedure for an appeal is as follows:

- The complainant and Head/CEO will enter the hearing together
- The Chair will introduce the panel members and outline the process
- The complainant will explain the complaint
- The Head/CEO and panel will question the complainant
- The Head/CEO will explain the school/Trust's actions
- The complainant and panel will question the Head/CEO
- The complainant will sum up their complaint
- The Head/CEO will sum up the school/Trust's actions
- The Chair will explain that both parties will hear from the panel within 5 school days
- Both parties will leave together while the panel decides
- The clerk will stay to assist the panel with its decision making.

4.7. The Chair of the panel/clerk will notify the complainant, and where relevant, the person complained about of the panel's decision in writing within 5 school days of the panel hearing. The letter will set out the decision of the panel together with the reasons underpinning that decision. The letter may set out recommendations which will be made to the governing body and will set out any further rights of appeal. The findings and recommendations of the panel will be available for inspection on the school premises by the trustees (proprietor) and the head teacher.

## 5. Stage 4 - Complaint to Secretary of State

5.1. If the complainant is dissatisfied with how the complaint has been handled after exhausting stages 1-3 of this policy, the complainant can write to the Secretary of State for Education via the Education Skills & Funding Agency (ESFA).

5.2. The ESFA will consider complaints that fall into any of the following three categories:

- where there is undue delay or the school/Trust did not comply with its own complaints procedures when considering a complaint
- where the school/Trust is in breach of its funding agreement with the Secretary of State
- where the school/Trust has failed to comply with any other legal obligation

5.3. The ESFA will normally only consider complaints when every stage of the above process has been completed.

5.4. Further details can be found at: <https://www.gov.uk/complain-about-school>.

## **6. Record of complaints**

6.1. A written record of all complaints and documentation relating to the handling of the complaint will be kept confidentially by the Trust but may be inspected where appropriate by the Secretary of State or any inspection body. The written record will note whether the complaints are resolved following a formal procedure or through a panel hearing and detail any actions taken by the school as a result of the complaint (regardless of whether they are upheld).

The written record will:

- record the progress of the complaint and the final outcome
- record whether the case progressed to a panel hearing
- record the action taken by the school or the trust, regardless of outcome
- determine who is responsible for these records and make sure the data is kept secure

Under the General Data Protection Regulations, data must not be kept longer than is necessary.

## **7. Vexatious complaints**

7.1. Whilst it is hoped that this policy will reduce any dissatisfaction with the Trust, it is acknowledged that there may be rare occasions where a complainant continues to be dissatisfied with the Trust and the outcomes achieved under the complaints policy.

7.2. Where a complainant attempts to re-open an issue which has already been dealt with under the complaints policy, the Chair of Trustees/local governing body will contact them to inform them that the matter has already been dealt with and that, either that stage of the policy has been exhausted or that the complaints policy has been exhausted and the matter is considered closed. Where further correspondence is received on the same matter, this may be considered vexatious and the Trust will be under no obligation to respond to that correspondence.

## **8. Learning Lessons**

8.1. The governing board will review any underlying issues raised by complaints with the Headteacher, 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.

## **9. Monitoring arrangements**

The board of trustees will monitor the complaints procedure in ensuring that complaints are handled properly. The board will track the number and nature of complaints and review underlying issues as stated in section 8.

The policy will be reviewed every 2 years.

Appendix 1

# Complaints Form

Please complete and return to the Academy/School who will acknowledge receipt and explain what action will be taken.

**Your name:**

**School/Academy:**

**Pupil's name (if applicable):**

**Your relationship to the pupil:**

**Address:**

**Postcode:**

**Day time telephone number:**

**Evening telephone number:**

**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 who:**

**Complaint referred to:**

**Date:**