

Complaints Procedure

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Author:	G Chisnell CEO
Checked by (Trustee)	S Smith
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Introduction

This document sets out the procedure for addressing complaints in schools within Veritas Multi Academy Trust. It should be used only when informal attempts to resolve problems have been unsuccessful. If you have any concerns about the school or the education provided, you are encouraged to discuss the matter first with your child's class teacher at the earliest opportunity. The school considers any concerns very seriously and most problems can be resolved at this stage. If you still feel your concern has not been resolved then we encourage you to speak to the Team Leader. If your concern remains unresolved then please speak with the Deputy Headteacher or the Headteacher before moving to the formal complaints procedure outlined below.

Please note that this procedure does not apply to issues concerning the curriculum, collective worship, admissions, attendance, exclusion appeals, decisions about your child's special educational needs or grievances by or against staff. These are the subject of separate procedures, the Headteacher will be happy to advise you on how to take such complaints forward. All other complaints are handled by each school within Veritas Multi Academy Trust according to the arrangements set out below.

Aim

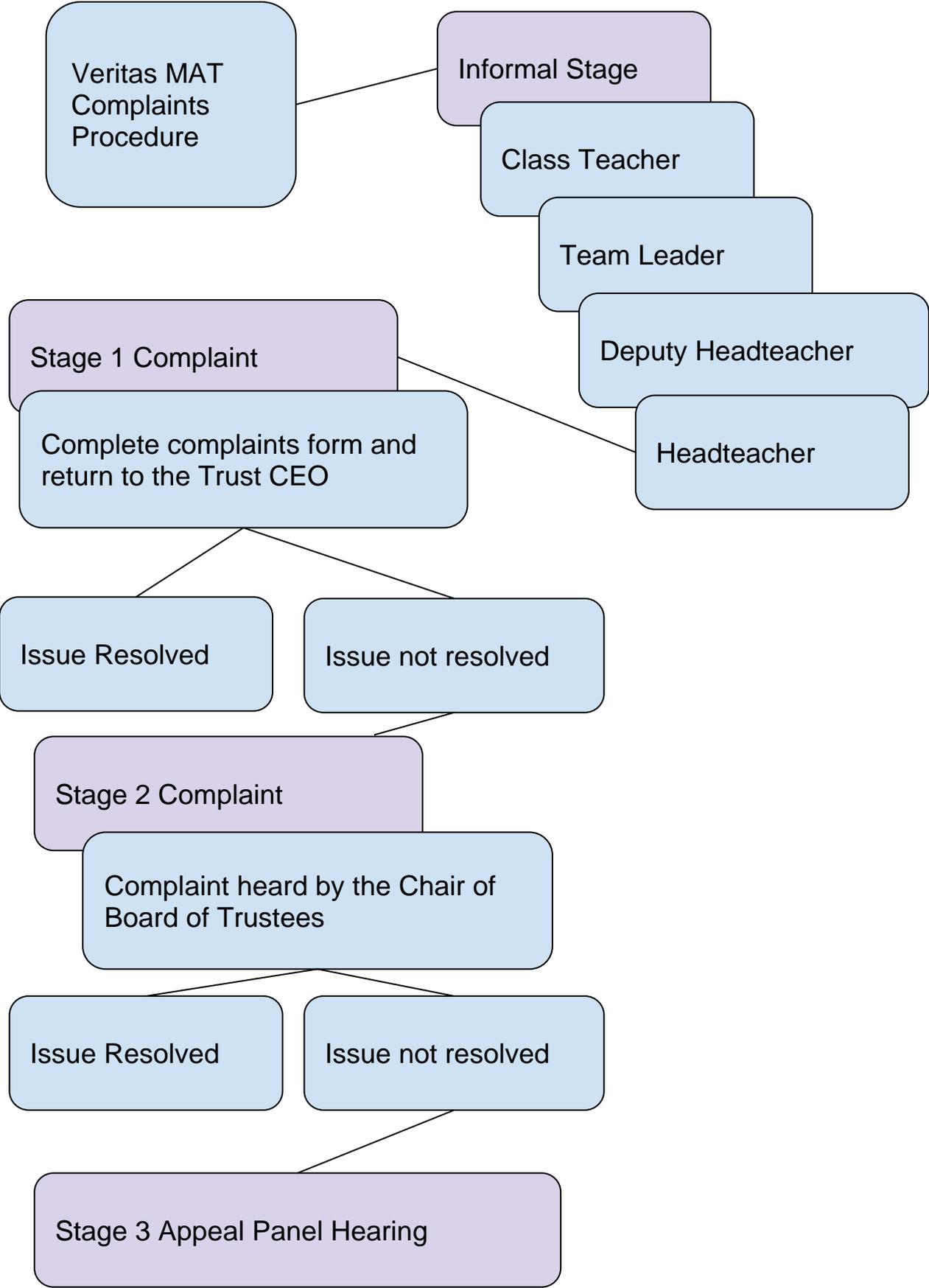
The aim of this policy is to ensure that a concern or complaint by a parent/carer is managed sympathetically, efficiently and at the appropriate level and resolved as soon as possible. Doing so is good practice, it is fair to those concerned and it helps to promote parents and pupils' confidence in our ability to safeguard and promote welfare. We will try to resolve every concern or complaint in a positive way with the aim of resolving the issue in a transparent manner.

The school expects that most concerns can be resolved informally. All concerns will be taken seriously and kept confidential.

Statement

We need to know as soon as possible if there is any cause for dissatisfaction. We recognise that an issue that is not resolved quickly and fairly can soon become a cause of resentment that could be damaging to relationships and also to our school culture. Our aim is that parents and pupils should never feel, or be made to feel, that a complaint will affect their opportunities in school. The policy, however, distinguishes between a concern or difficulty which can be resolved informally and a formal complaint which will require further investigation.

Complaint Flow Chart



Formal Complaints Procedure

Stage 1

If you feel that a concern has not been addressed through informal discussion with the Class Teacher, Team Leader, Deputy Headteacher or Headteacher; and you wish to have the matter formally investigated, this process begins with the completion of a complaints form (Appendix A), which you will find at the end of this pack. If you would like help completing the form, the school will be happy to provide the assistance of someone unconnected with the complaint. The completed form should be returned to (a) The Trust CEO if the concern/complaint is under the Trust or School's responsibility or (b) The Chair of Trustees if the concern/complaint is under the Board of Trustees' responsibility, (these are indicated below). The complaint form should be returned to the school office, marked Confidential, for the attention of either the CEO or Chair of Trustees as appropriate. The CEO/Chair of Trustees will acknowledge in writing receipt of the complaint form within **three working days** after receiving it.

If the matter is about:

- the day-to-day running of the school
- the interpretation of school policies
- the actions or inactions of staff at the school

These are concerns/complaints under the CEO's responsibility and will be investigated by the CEO or a senior member of staff nominated by the CEO.

If the matter is about:

- the content of school policies determined by the Regional Governing Body or Board of Trustees
- the actions or inactions of the Regional Governing Body or Board of Trustees
- the CEO

These are concerns/complaints under the Board of Trustees' responsibility and will be investigated by the Chair of Trustees or a governor nominated by the Chair. It may be necessary to appoint an independent investigator in certain circumstances.

Investigation and resolution

The CEO may deal with the matter personally or delegate a senior member of staff within the Trust or school to act as "investigating officer." The "investigating officer" may request additional information from the complainant and will fully investigate the issue. In most cases the CEO or investigating officer will meet or speak with the parent/carer to discuss the matter.

Stage 2

If the concern/complaint has been investigated by the CEO but it is your view that the complaint has not been investigated fairly or thoroughly, Stage 2 of the formal procedure will begin with the complaint form being passed to the Chair of the Trust Board or nominated complaints trustee to review whether the complaint has been properly dealt with.

If the complaint is a staff disciplinary or capability issue, then the matter will be dealt with by following the appropriate procedure rather than this complaints procedure and you will be notified of this.

If the complaint has been investigated by the Chair of Trustee at Stage 1 and you remain unsatisfied that the complaint has been heard fairly an appeal can be requested at Stage 3.

Stage 3

If the complainant remains unsatisfied that their complaint has been heard fairly they can request an appeal. An appeal must be made in writing and within ten working days of the date of the school's decision made at Stage 2.

Acknowledgement

Where an appeal is received, the school will within three working days refer the matter to the Clerk to the Trust Board who will act as Clerk to the Complaints Panel. The Clerk will acknowledge, in writing, receipt of the appeal within three working days and inform the complainant of the steps involved in the process. The Clerk will be the contact point for the complainant. It may be decided to request that representatives across trust schools or if not available, local schools, sit on this panel in order to ensure its independence, this will be at the discretion of the Trust Board.

Panel Hearing

The Clerk will aim to convene an Appeal Panel hearing as soon as possible, normally no later than twenty working days after receipt of the Stage 3 request.

Panel Membership

The Panel will consist of two Trustees who have not previously been involved in the complaint and one person independent of the management and running of the school (the process used for selecting the independent person will conform to relevant guidance and may include governors of neighbouring schools). In deciding the makeup of the Panel, Trustees need to try and ensure that it is a cross-section of Trustees who are sensitive to the protected characteristics outlined in the Equalities Act including age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity.

The Panel will select its own Chair.

The Remit of the Complaints Appeal Panel:

The Panel can:

- dismiss the complaint in whole or in part
- uphold the complaint in whole or in 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 problems of a similar nature do not happen again

The aim of the hearing, which will be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant.

Attendance

The following are entitled to attend a hearing, submit written evidence and address the

Panel;

- the parents/carers and/or one representative
- the Headteacher and/or one representative from the school
- any other person who the Complaints Panel considers to have a reasonable and just interest in the appeal and whose contribution would assist the Panel in their decision making

Evidence

All parties will be given the opportunity to submit written evidence to the Panel in support of their position including;

- documents
- chronology and key dates
- written statements setting out further detail

The evidence will be considered by the Panel along with the initial submission.

All written evidence must be received by the Clerk no later than five working days in advance of the Panel Hearing. The Clerk will distribute the evidence to all parties no later than three working days in advance of the Panel Hearing.

The Role of the Clerk

All panels considering complaints must be clerked. The clerk would be the contact point for the complainant and be required 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 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 Panel's decisions

The Role of the Chair of Trustees or Nominated Trustee or Governor

- check that the correct procedure has been followed
- if a hearing is appropriate, notify the clerk to arrange the panel

The Role of the Chair of the Panel

The Chair of the Panel has a key role, ensuring that:

- the remit of the Panel is explained to the parties and each party has the opportunity of putting their case without undue interruption the issues are addressed
- key findings of fact are made
- parents or others who may not be used to speaking at such a hearing are put at ease

- the hearing is conducted in an informal manner with each party treating the other with respect and courtesy
- the panel is open minded and acting independently;
- no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- 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 it would be useful to give all parties the opportunity to consider and comment on it.

Decision

The Panel will reach a decision, and make any recommendations within ten working days of the hearing. The decision reached is final.

Notification of the Panel's Decision

The Panel's findings will be sent, in writing, by the Clerk, to the parents/carers, the Governors and the Headteacher and where relevant, to the person complained about and shared with the Veritas Multi Academy Trust CEO and Chair of the Board of Trustees.

The letter will state the reasons for the decision reached and any recommendations made by the Panel.

Record Keeping

The school will keep a record of all appeals, decisions and recommendations of the Complaints Panel. The Trust and schools will act accordingly within the General Data Protection Regulations and maintain records of complaints received and may share data with relevant bodies such as the Police, Social Services, Local Authority and Ofsted.

Vexatious Complaints

Following a good complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. Please see Appendix B and C for further details of how such complaints will be dealt with and examples of behaviour, which will not be tolerated.

Contacting the Education Skills Funding Agency and OFSTED

It is Veritas Multi Academy Trust's hope that all measures have now been made to reach a positive conclusion to any complaint. If, however, a complainant has been through all the stages of this complaints procedure but remains dissatisfied, the complainant can ask the ESFA to review the handling of their complaint.

The ESFA can be contacted:

- in writing - to Academies Central Unit (Academy Complaints), Education Skills Funding Agency, Earlsdon Park, 53-55 Butts Road, Coventry, CV1 3BH
- by telephone - the Department's Public Communications Unit on 0370 000 2288.

You can complain to OFSTED if there is a problem that affects the whole school **and you have been through the school's complaint procedures** – this includes problems with the quality of education or poor management. OFSTED can be contacted:

By email - enquiries@ofsted.gov.uk

by telephone - 03001234 234

Monday to Friday 8am to 6pm.

Monitoring and Review

The Board of Trustees monitors the complaints procedure, in order to ensure that all complaints are handled properly. The CEO logs all formal complaints received and records how they were resolved through the report to the Trust Board. Trustees examine this log and consider the need for any changes to the procedure. The procedures relating to this policy and the practice in each school are monitored by the CEO and Board of Trustees.

Availability

A copy of this procedure is available publicly on the Veritas MAT website and to all parents on request.

Complaint Form

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

Your name			
Pupil's name			
Name of School			
Your relationship with the pupil			
Address			
Postcode			
Day time telephone number			
Evening telephone number			
Email address			
What is the complaint about and what would you like the Headteacher / CEO to do? (Continue on a separate sheet, if necessary).			
When did you discuss the complaint and with which member/s of staff			
What was the result of the discussion?			
Are you attaching any paperwork ? (If so please give details)			
Signed		Date	
Official Use			
Date Received		Complaint referred to	
Date Acknowledgement sent			
By who		Date resolved	

Appendix B: Policy on unacceptable behaviour

The Trust Board has a duty to ensure the safety and welfare of pupils, parents and staff.

The Trustees are committed to dealing with all complaints fairly and impartially and to providing a high quality service to those who make them. As part of this service they would not normally limit the contact complainants have. However Trustees do not expect the school's staff to tolerate behaviour by complainants, which is unacceptable, for example, which is abusive, offensive, or threatening, and they will take action to protect staff from that behaviour. This applies to unacceptable behaviour in any part of the school grounds.

If the Headteacher or CEO considers that a complainant's behaviour is unacceptable, then action will be taken to raise the concern with the complainant. If the complainant's behaviour does not return to acceptable standard, the complainant will be asked to leave the school site until acceptable behaviour has resumed.

Unacceptable actions and behaviours may include:

- foul and abusive language towards staff, other parents and pupils
- behaviour that staff consider to be harassing and intimidating, including in person, over the telephone, or any other type of communication.
- undermining school policies by actively encouraging pupils to ignore staff requests
- making unnecessarily excessive demands on the time and resources of staff, by for example excessive telephoning or sending emails to numerous staff, writing lengthy complex letters every few days and expecting immediate responses.

The decision to restrict access to the school will be taken by the Headteacher.

Any restrictions imposed will be appropriate and proportionate. The options most likely to be considered are:

- requesting contact in a particular form (for example, letters only);
- requiring contact to take place with a named member of staff;
- restricting telephone calls to specified days and times; and/or
- asking the complainant to enter into an agreement about their conduct.

In all cases the school or trust will write to tell the complainant why we believe his or her behaviour is unacceptable, what action we are taking and the duration of that action.

Where a complainant continues to behave in a way which is unacceptable, we may decide to terminate contact with that complainant and discontinue any investigation into their complaint. However the Trustees will seek to limit any detriment to any pupils who attend the school, as far as is reasonable within these circumstances e.g. access to parents evenings, newsletters, and any other correspondence.

Where the behaviour is so extreme that it threatens the immediate safety and welfare of the school or Trust's staff, we will consider other options, for example reporting the matter to the police or taking legal action. In such cases, we may not give the complainant prior warning of that action.

Appendix C: Policy on unreasonably persistent complainants

Trustees recognise that it is the last resort for complainants. The Trust Board is also accountable for the proper use of public money and must ensure that the money is spent wisely and achieves value for complainants and the wider public.

Trustees are committed to dealing with all complaints fairly and impartially and to providing a high quality service to those who make them. As part of this service it doesn't normally limit the contact complainants have with the school.

However there are a small number of complainants who, because of their frequent contact with the school, hinder consideration of their or other people's, complaints. Such complainants are referred to as 'unreasonably persistent complainants' and, exceptionally, the Headteacher or CEO will take action to limit their contact with school.

Actions and behaviours of unreasonable and unreasonably persistent complainants

These are some of the actions and behaviours of unreasonable and unreasonably persistent complainants which schools often find problematic. It is by no means an exhaustive list and factors may vary, but they are examples that may come to our attention.

- refusing to specify the grounds of a complaint, despite offers of assistance with this from the school's staff.
- refusing to cooperate with the complaints investigation process while still wishing their complaint to be resolved.
- refusing to accept that issues are not within the remit of a complaints procedure
- despite having been provided with information about the procedure's scope insisting on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- making what appear to be groundless complaints about the staff dealing with the complaints, and seeking to have them replaced.
- changing the basis of the complaint as the investigation proceeds and/or denying statements he or she made at an earlier stage.
- introducing new information which the complainant expects to be taken into account and commented on, or raising large numbers of detailed questions which are particularly time consuming and costly to respond to and insisting they are all fully answered.
- electronically recording meetings and conversations without the prior knowledge and consent of the other persons involved.
- adopting a 'scattergun' approach: pursuing a complaint or complaints with the school and, at the same time, with a Member of Parliament/a councillor/the authority's independent auditor/the Local Authority/local police/solicitors/the Ombudsman/ the Education Funding Agency/ OFSTED.
- making unnecessarily excessive demands on the time and resources of staff whilst a complaint is being looked into, by for example excessive telephoning or sending emails to numerous school staff, writing lengthy complex letters every few days and expecting immediate responses.

- submitting repeat complaints, after complaints processes have been completed, essentially about the same issues, with additions/variations which the complainant insists make these 'new' complaints which should be put through the full complaints procedure.
- refusing to accept the decision – repeatedly arguing the point and complaining about the decision.

The decision to restrict access to the school will be taken by the Headteacher or CEO and will normally follow a prior warning to the complainant. Any restrictions imposed will be appropriate and proportionate. The options we are most likely to consider are:

- requesting contact in a particular form (for example, letters only);
- requiring contact to take place with a named member of staff;
- restricting telephone calls to specified days and times; and/or
- asking the complainant to enter into an agreement about their future contacts with us.

Where the Headteacher decides to treat someone as an unreasonably persistent complainant, the trust will write to tell the complainant why we believe his or her behaviour falls into that category, the action and the duration of that action. We will also tell them how they can challenge the decision if they disagree with it. If we decide to carry on treating someone as an unreasonably persistent complainant and we are still investigating their complaint six months later, we will carry out a review and decide if restrictions will continue.

Where a complainant whose case is closed persists in communicating with us about it, the trust may decide to terminate contact with that complainant. In such cases, trustees will read all correspondence from that complainant, but unless there is fresh evidence which affects our decision on the complaint trustees will simply acknowledge it or place it on the file with no acknowledgement.

New complaints from people who have come under the unreasonably persistent complainant's policy will be treated on their merits.