

## COMPLAINTS POLICY

### Schools within the Trust:

Mrs Ethelston's Primary, Uplyme; St. Andrew's Primary, Chardstock; Axminster Primary; Membury Primary; Marshwood Primary; Loders Primary.

### 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 the relevant school in accordance with the requirements of The Education (Independent School Standards) (England) Regulations 2010.
- 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. The aims of the procedure are:
  - to deal with any complaint against the Trust or an academy or any individual connected with it by following the correct procedure
  - to deal with all complaints thoroughly and in a timely manner and by being open, honest and fair when dealing with the complainant
- 1.6. All complaints should be addressed to the Trust complaints officer in the first instance whose details are recorded below.
- 1.7. 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. Parents or carers of children with special educational needs (SEN) should talk to the school's special educational needs co-ordinator (SENCO) in the first instance, before following the

Complaints Procedure. Further information is available in the SEND policy.

## 2. The Procedure

- 2.1. In order to investigate your complaint as fully as possible, we have implemented a staged approach. We anticipate that almost all complaints that arise will be resolved at Stage 1 or Stage 2 below.
- 2.2. We expect our members of staff to be addressed in a respectful manner and for communication to remain appropriate at all times.
- 2.3. All 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.
- 2.4. To enable a proper investigation, concerns or complaints should be brought to the attention of Trust staff as soon as possible. In general, any matter raised more than 3 months after the event being complained of will not be considered. However, the Trust may make exceptions to this.
- 2.5. If, at any stage, the Trust or the academy believes that the concern or complaint is vexatious, has insufficient grounds, has already been considered in full or has been closed, the Executive Head, Head of School or Chair of Governors/Directors (as appropriate) may write to you to refuse to consider the concern or complaint under this procedure and the reasons why they are refusing to do so. (See Part 2).
- 2.6. An anonymous concern or complaint will be risk assessed by the receiving party before a decision is made whether or not to progress them through the procedure.
- 2.7. If it becomes necessary to alter the time limits and deadlines set out within this procedure, you will be advised accordingly and given an explanation as to why this has been the case and provided with revised timescales.

In this procedure:

- "school days" excludes weekends, bank holidays and academy holidays
- "parent" means a parent, carer or anyone with legal responsibility for a child

## PART ONE - RAISING A CONCERN OR COMPLAINT

### 3. Stage 1 - Informal Resolution

- 3.1. Many enquiries, suggestions and concerns can be dealt with satisfactorily by the class teacher, the Head of School, 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.
- 3.2. If an individual has a concern that they would like to take up with the school 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.
- 3.3. 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 15 school days of being notified of the complaint.

- 3.4. Should face to face discussions appear unlikely to resolve matters, either party may initiate a move to the formal procedure at stage 2 onwards.
- 3.5. In the case of serious concerns and you are uncertain about whom to contact, please seek advice from the Clerk to Governors/Complaints Officer.

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

- 4.1. 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 on the 'Formal Complaint' form at the end of this policy (appendix 1) and return this to the Trust Complaints Officer. The complainant should keep a copy of this form and all other relevant correspondence.
- 4.2. The Trust Complaints Officer will pass the complaint on to the Head of the relevant school (or the appropriate person at Trust Board or local governing body level, the 'Investigator'). The complaint will be acknowledged within 5 working days, stating who will be managing the complaint.
- 4.3. Within a further 20 school days an investigation of the complaint will be undertaken. In the case of a lengthy investigation complainants will be kept informed of progress on a regular basis.
- 4.4. The complainant will be invited to attend a meeting with the Investigator to discuss the issue outcome, possible solutions, or to explain what has or will happen as a result of the complaint.
- 4.5. The Investigator will keep notes and a record of all interactions with the complainant and other staff, meetings and decisions made in reference to the complaint.
- 4.6. The Investigator will provide a comprehensive, open, transparent and fair consideration of the complaint through:
  - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved;
  - consideration of records and other relevant information;
  - interviewing staff and children/young people and other people relevant to the complaint;
  - analysing information;
  - effectively liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right;
  - identifying solutions and recommending courses of action to resolve problems
- 4.7. Within 5 working days of completing the investigation, the complainant will receive a copy of the written conclusion of the investigation and any action that has or will be taken. If the Investigator has decided not to take any further action on the issue, they will explain the complainant's right to take the matter further and the steps to be taken will be outlined.
- 4.8. 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.
- 4.9. Where any governor receives a complaint, they will refer this to the Head of School or complaints officer and have no further involvement in the matter. Any complaint received will not be shared and will be kept confidential.
- 4.10. Complaints and appeals will not be heard by the whole local governing body.

## 5. Stage 3 - Complaints Panel

- 5.1. If the complainant is dissatisfied with the outcome of their complaint at stage 2, they may lodge their complaint with the complaints officer in writing, using the form at the end of this policy, (Complaint Review Request Form, appendix 2), explaining their concern and the steps that have led up to them taking this course of action. This should set out the details of the complaint including evidence as set out above. The complainant should also specify what they feel **would resolve the complaint**, and how they feel the previous stage of the procedure has not addressed their complaint sufficiently.
- 5.2. A request for a complaint to be heard by a Complaints Appeal Panel must be made within 15 working days of the date of the school decision made at Stage 2. This may be extended by a further 10 working days if any aspect requires further investigation, which will only be invoked in exceptional circumstances.
- 5.3. The Clerk to the Local Governing Body will act as Clerk to the Complaints Appeal Panel.
- 5.4. For monitoring purposes, the Clerk to the Complaints Appeal Panel will notify the Chair of the Local Governing Body and Chair of the Board of Directors that a request for a Complaints Appeal Panel has been received. They will be notified again, at the end of the process, informing them of the outcome.
- 5.5. The purpose of the appeal is not to reinvestigate the complaint, it is to ensure that the complaints procedure was implemented correctly and every issue within the complaint thoroughly investigated.
- 5.6. If the Chair of the Local Governing Body is the subject of a complaint, or has reviewed the complaint under stage 2, the complainant should send the form to the complaints officer/clerk to governors c/o the Academy marking the envelope 'private and confidential'.
- 5.7. The appropriate member of the Local Governing Body or Trust Board will convene a panel of at least three people who were not directly involved in the matters detailed in the complaint. This will comprise of at least one person independent of the management and running of the school/Trust. The panel will normally hear the complaint within 20 schooldays of the request for a panel hearing.
- 5.8. Where it is not possible to convene a panel of appropriate Local Governors who have not previously been involved in the complaint, Local Governors from the Local Governing Bodies of academies/schools within the Trust, which are not the subject of the complaint, may be appointed to sit on the Panel.
- 5.9. The Academy shall take reasonable steps to convene a panel hearing at a time and date mutually convenient to all parties.
- 5.10. The complainant is entitled to attend the panel hearing, and be accompanied. The complainant should notify the clerk/company secretary in advance if they intend to bring anyone to the hearing.
- 5.11. The Clerk will circulate to the members of the Complaints Panel, the complainant, and at the sole discretion of the Complaints Panel any person requested by the Complaints Panel to attend the meeting:
  - The agenda of the meeting of the Complaints Panel
  - The complainant's letter notifying the Head/ that they wish to proceed to Stage 3 of the Complaints Procedure
  - The original Formal Complaint Form
  - The letter from the Investigator issued under Stage 2 of the Complaints Procedure
  - The complaint's letter/form notifying the Company Secretary that they wish to proceed to Stage 3 of the Complaints Procedure
  - Any relevant documents referred to or relied on at any earlier stage of the Formal Procedure
  - Any relevant documents on which the Complaints Panel members will seek to rely at the Complaints Panel meeting.

- 5.12. Should the complainant or any of the persons requested to attend the Complaints Panel meeting wish to rely on any other documents, such documents must be received by the Complaints Officer at least five school days before the Complaints Panel meeting. The Clerk will circulate any such documents to the members of the Complaints Panel, the complainant and any other persons requested to attend the meeting as appropriate.
- 5.13. Unless otherwise stated, the procedure for an appeal is as follows:
1. The complainant and Head of School/Executive Head (as appropriate) will enter the hearing together.
  2. The Chair of the panel will introduce the panel members and outline the process.
  3. The complainant will explain the complaint.
  4. The Head of School/Executive Head and panel will question the complainant.
  5. The Head of School/Executive Head will explain the school/Trust's actions.
  6. The complainant and panel will question the Head/Executive Head.
  7. The complainant will sum up their complaint.
  8. The Head of School/Executive Head will sum up the school/Trust's actions.
  9. The Chair will explain that both parties will hear from the panel within 5 school days.
  10. Both parties will leave together while the panel decides.
  11. The clerk will stay to assist the panel with its decision making.
- 5.14. The Chair of the panel/clerk will notify the complainant and the Head of School/Executive Head 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.
- 5.15. The Panel can:
- Request further information from you and/or the academy to assist them in making their decision
  - 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 academy's systems or procedures to ensure that problems of a similar nature do not reoccur
6. Whilst the formal stages of the Complaints Policy are being applied, efforts will be made, where possible, to resolve the issues by the use of negotiation, conciliation or mediation outside of the complaints procedure itself, on the understanding that any such attempts will not in any way affect the rights of any individual within the complaints procedure.
7. **Stage 4 - Complaint to Secretary of State**
- 7.1. 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 and Skills Funding Agency (ESFA).
- 7.2. The ESFA will consider complaints that fall into any of the following three categories:
1. where there is undue delay or the school/Trust did not comply with its own complaints procedures when considering a complaint
  2. where the school/Trust is in breach of its funding agreement with the Secretary of State
  3. where the school/Trust has failed to comply with any other legal obligation
- 7.3. The ESFA will normally only consider complaints when every stage of the above process has been completed.

- 7.4. Further details can be found at:  
<http://www.education.gov.uk/aboutdfe/complaintsprocedure/b00212240/making-complaint-school/how-to-complain>

## **8 Record of complaints**

- 8.1 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.

## **PART TWO - UNREASONABLY PERSISTENT COMPLAINANTS AND UNREASONABLE COMPLAINANT BEHAVIOUR**

### **9.**

- 9.1 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.

- 9.2 The decision to stop responding to a complaint will never be taken lightly, however the Trust will stop responding if:

- The school has taken every reasonable step to address the complainant's needs;
- The complainant has been given a clear statement of the school's position and their options (if any); and they are contacting the school repeatedly but making substantially the same points each time.
- The school has reason to believe the individual is contacting them with the intention of causing disruption or inconvenience.
- Their letters/emails/telephone calls are often or always abusive or aggressive.
- They make insulting personal comments about or threats towards staff.

- 9.3 There are rare circumstances where we will deviate from the Complaints Procedure set out in Part One.

- 9.4 These include, but are not necessarily limited to:

- where the complainant's behaviour towards staff, Governors or Directors is unacceptable, for example, is abusive, offensive or threatening;
- where, because of the frequency of their contact with the Trust/academy, the complainant is hindering the consideration of their or other people's complaints and/or the proper running of the Trust/academy;

- 9.5 In these circumstances, we may:

- inform the complainant that their behaviour is unacceptable or unreasonably persistent and ask them to change it;
- restrict the complainant's access to the Trust/academy, specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.
- In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from school premises.

This policy should be read in conjunction with our other policies and procedures, including Parental Behaviour, SEND and Safeguarding Policies.

### **CONTACT DETAILS:**

Trust Complaints Officer: Veronica Dower

Trust Complaints Officer Contact Details: [admin@acornacademy.org](mailto:admin@acornacademy.org)

### **Registered Office Address:**

Mrs Ethelston's Primary,  
Uplyme,

Lyme Regis,  
DT7 3TT

**Academy informal complaints:**

Head of School at the appropriate academy address

**Academy formal complaints:**

Clerk to Governors (Complaints Officer) at the appropriate academy address

### Policy Version and Revision Information

Authorised by Board of Directors	February 2016
Reviewed	December 2017
Revised	February 2018
Current Version:	2018
Review date:	February 2020

**ACORN MULTI ACADEMY TRUST****FORMAL COMPLAINT FORM**

Please complete this form and return it, **to ACORN MULTI ACADEMY TRUST registered office or to the academy/school office (as appropriate)** who will acknowledge its receipt and inform you of the next stage in the procedure.

<b>Your name</b>
<b>Pupil's name</b>
<b>School pupil attends</b>
<b>Your relationship to pupil</b>
<b>Your address and postcode</b>
<b>Your daytime telephone number</b>
<b>Your evening telephone number</b>
<b>Your email address</b>



**Your complaint is...**

(Include details of actions already taken by the school/Trust to try to resolve the situation)

**What action have you already taken to try and resolve your complaint?**

(Who did you speak to and what was the response?)

**What would you like as an outcome from your complaint?**

**What actions do you feel might resolve the problem at this stage?**

**Are you attaching any paperwork? (Please give details here)**

Your signature..... Date .....

All functions of the complaints procedure must adhere to the requirements of the Data Protection Act 1998 and the Freedom of Information Act 2000.

Please complete and return to the school office/Trust's central office in a sealed envelope addressed to the Complaints Officer.

***Admin use***

Date received	Date acknowledgement sent
Received by	Acknowledgement sent by
Complaint referred to	

**ACORN MULTI ACADEMY TRUST**

**COMPLAINT REVIEW / COMPLAINT PANEL REQUEST FORM**

Please complete this form and return it, to **ACORN MULTI ACADEMY TRUST registered office or to the academy/school office (as appropriate)** who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:

Relationship with the Trust/academy  
(eg parent/carer of a pupil on the academy roll)

Pupil's name (if relevant to the matter to be discussed)

Your Address:

Telephone numbers

Daytime:

Evening:

E-mail address:

Signed

Date

Dear Sir/Madam

I submitted a formal complaint to the Trust/academy on ..... and I am dissatisfied by the procedure that has been followed.

My complaint was submitted to ..... and I received a response from ..... on .....

**I have attached copies of my formal complaint and of the response(s) from the Trust/academy.**

**I am dissatisfied with the way in which the procedure was carried out, because:**

*You may continue on separate paper, or attach additional documents, if you wish.*

--

**Number of Additional pages attached: .....**

**What actions do you feel might resolve the problem at this stage?**

Signed

Date

**Admin use**

Date Form received

Date acknowledgement sent

Received by

Acknowledgement sent by

Complaint referred to:

Date:

Request referred to:

Date: