

# Complaints Policy

November  
2017

**Date Policy Approved:** 27 November 2017

**Date Policy to be Reviewed:** November 2019

## 1. Aims and Expectations

- 1.1 Academies are required to have complaints procedures in place meeting certain requirements by the Education (Independent School Standards) (England) Regulations 2014 and to make the procedure available to parents of pupils and parents of prospective pupils.
- 1.3 The Trust accepts that the actions of those individuals who work in the schools will and should be open to comment, question and, on occasions, criticism. In a spirit of accountability, CLIC schools will attempt to resolve general school complaints through the most appropriate process and, where necessary, this may involve formal procedures. 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.
- 1.4 This policy and the procedures for its implementation aim to clarify the way in which complaints are managed. It aims to do so in a way which is clear and concise. The policy also seeks to promote a consistent and transparent approach to dealing with complaints.
- 1.5 This general complaints policy does not cover every type of complaint. The items on the list below have their own separate procedures:
  1. Content of a statutory statement of Special Educational Needs
  2. Pupil exclusions
  3. The National Curriculum and related matters, including Religious Education
  4. Child Protection
  5. Allegations Management (statement concerns about staff that need to be referred to the LADO – Local Authority Designated Officer).
  6. Matters that are the responsibility of the Local Authority such as student admissions and home to school transport.

## 2. Principles

- 2.1 This policy is underpinned by the principles noted below:
  1. Complaints will be considered and resolved as quickly and efficiently as possible.
  2. Complaints will be dealt with by the member of staff best suited to deal with the matter.
  3. If the complaint is about an individual member of staff they have a right to know the substance and source of any allegation made against them.

4. Complaints will be dealt with in line with any relevant national legislation and statutory obligations.
5. Complaints will be dealt with having due regard for confidentiality and the security of any records made and the CLIC Data Protection policy.
6. For complaints against CLIC Head office, this policy will apply but substituting CEO for Principal and CLIC Trust Board for Local Governing Body.

### 3. Implementation

- 3.1 CLIC has a four-stage process for dealing with complaints. Further details of each stage together with roles and responsibilities of staff involved can be found within this document. The four stages are:

**Stage 1** – complaint heard by Teacher (Informal)

**Stage 2** – complaint heard by Headteacher (informal)

**Stage 3** – complaint heard by the Executive Principal (formal – complaint to be received in writing).

**Stage 4** – complaint heard by the Local Governing Body (LGB) complaint appeal panel

- 3.2 If a parent/carer is concerned about anything relating to the education that we are providing at our schools or the complaint is in relation to a Teaching Assistant, in the first instance, this should be discussed with their child’s class teacher. It may be necessary to arrange a mutually convenient time to meet to discuss the concern face to face. Most matters of concern/complaints can be dealt with in this way.
- 3.3. Where a parent/carer feels that a situation or complaint has not been resolved through contact with the class teacher, or a parent/carer has a complaint against a teacher, the complaint moves to **Stage 2** and an appointment to discuss it with the Headteacher should be arranged. The Headteacher will carry out a thorough investigation where necessary and report the outcome of their investigation to the parent/carer via an arranged meeting. The Headteacher should make notes of the complaint and record the outcome. The complaint is still informal at this stage.
- 3.4 If a parent/carer has a complaint against a Headteacher, or they are dissatisfied with the response from the Headteacher, the complaint should be escalated to **Stage 3**. Complaints should be submitted in writing (by letter or email) to the Executive Principal within 10 schools days of the informal meeting with the Headteacher:

**Email:** [ctravis@clicmanchester.com](mailto:ctravis@clicmanchester.com)

**Letter to be sent to:** Mr D Watson, Chorlton Park Primary School, Mauldeth Road West, Chorlton, Manchester M21 7HH

*Please ensure you mark all letters and emails ‘strictly private and confidential’.*

During this stage, the Executive Principal will deal with the complaint, carrying out an internal investigation and will respond to the complaint in writing (via letter or an email) within 10 school days. It may be necessary for the Principal to hold a meeting with the parent/carer during this time which will be formally minuted by the Executive Assistant to the Trust.

The meeting minutes can be provided to the parent/carer upon request.

- 3.5. If the parent/carer is dissatisfied with the response given by the Executive Principal, the complaint should be escalated to **Stage 4**:
1. The parent/carer should write to the Chair of Governors of the school by letter or email, (marked for the attention of the Executive Assistant to the Trust) within 10 school days of the letter/email received by the Executive Principal. The parent/carer should include full

details of the complaint and the reason why they remain dissatisfied with previous outcomes.

2. The Chair, or a nominated governor, will convene a Trust Complaints Panel within 15 school days of receipt of the letter/email.
  3. One of the Directors will be appointed as the Chair of the Complaints panel. This will not necessarily be the Chair of the Trust.
  4. The Executive Assistant to the Trust (who will be the Clerk for the panel) will invite the parent/carer to attend the complaints panel meeting. The parent/carer will be informed of the time, date and venue for the hearing and the Executive Assistant to the Trust will collate and distribute any relevant information.
  5. The complaints panel will include at least one member who is independent of the management and running of the Academy and will not be made up solely of Local Governing Body members. The Chair will appoint a suitably independent individual to fulfil the role.
  7. The panel will be held in private and the Trust aims to resolve the complaint, achieve reconciliation between the school and the parent/carer.
  8. The Chair will ensure that the parent/carer is informed of the panel's decision, in writing, within 10 school days of the panel hearing.
  9. The complaints panel will aim to reach an outcome in respect of the complaint (i.e. upheld, partially upheld, not upheld, unable to substantiate). The panel will also decide and agree on any appropriate action to be taken as a result of the complaint and make recommendations to change processes/procedures to ensure problems of a similar nature do not recur.
- 3.6. The implementation and adherence to this complaints procedure should reduce the number of complaints that become protracted or vexatious. If a parent/carer tried to reopen the same issue the Chair of the Trust will write to the parent/carer explaining that complaint has been through all stages of the procedure, is now exhausted and the matter is closed.
  - 3.7. The response to any anonymous complaints (verbal or written) will be coordinated by a member of the MLT (MAT Leadership Team).
  - 3.8. The CLIC Complaints Policy and Procedure is published on the individual school websites and the website of the Trust. A copy of this policy and procedure is also available from the main school offices.
  - 3.9. Should a parent/carer remain dissatisfied following a Stage 4 complaint, they will be advised of their right to escalate their complaint to the following bodies:

#### **Department for Education**

If a parent/carer feels that the school has or is proposing to act unreasonably, or has failed to discharge a duty under certain legislation, they can contact the Department for Education via the following link:

<https://www.gov.uk/government/organisations/department-for-education>

## **Education Funding Agency (EFA)**

If a complaint is received by the EFA, they will check whether the complaint has been dealt with properly by the Academy. They will consider complaints about Academies that all into any of the following three areas:

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

Both bodies will not overturn an Academy's decision about a complaint however, if they find an Academy did not deal with a complaint properly, they will request the complaint is looked at again and procedures meet the requirements set out in the Regulations. If the Academy's complaints procedure does not meet the Regulations, they will ask the Academy to put this right. They may seek to enforce the decision under the terms of the funding agreement on behalf of the Secretary of State, if appropriate.

## **4. Monitoring and Evaluation**

- 4.1 This policy will be reviewed in accordance with the CLIC Trust's review process. The Headteachers of each school will keep records of all complaints received and their outcomes. The Executive Assistant to the Trust will keep records of all complaints received from Stage 3 and 4. Such records may be shared with the Directors/Governors as appropriate.
- 4.2 Training for Headteachers on how to deal with challenging parents will be considered at the time of review on an annual basis. Headteachers will be required to undertake this training should the Executive Principal feel that this is a requirement.

## **5. Other Information**

- 5.1 CLIC Trust schools will:
1. Deal with complaints from people who are not parents of attending pupils in the same way by utilising the process outlined above.
  2. To ensure the complainant is given reasonable notice of the panel hearing date if the complaint proceeds to Stage 4.
  3. Consider if staff likely to be involved in handling a complaint are suitably equipped to do so.
  4. Provide complainants with written responses where appropriate and if requested.
  5. Clearly signpost complainants that are not satisfied about the handling of their complaint to the EFA.
  6. Not tolerate abusive language or behaviour at any time and reserve the right to postpone the process should it feel that the welfare of staff, pupils and/or governors are at significant risk.