



# Complaints Procedure

Practical Advice for those who want to raise a concern about a school

Signed

*Martin Callaghan*

Chair of the Board of Directors

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## Version History

Version	Date Issued	Brief Summary of Change	Owners Name
0.1	07.11.2018	New Policy	Wendy Ainscough

## **The Trust's Complaints Procedure**

Whilst we are very proud of our schools, we know that no one gets things right all the time. We are committed to working with you to provide the absolute best for all our children and this includes responding quickly and proportionately to concerns that you raise.

The following sets out how we will work with you to resolve any concerns that you raise as quickly as possible. Mediation can be considered at any point in the process (see final page).

This procedure is appropriate for use not only by parents and carers but by any person who engages with the Trust and its schools, including members of the local community.

In this document, 'working days' means working days which fall within a school term.

## **School Resolution (Informal Stage 1)**

You may be concerned or unhappy with the way your school or a member of staff has treated you, or with the way the school is operating its policies and procedures. Usually the best way to deal with this is by speaking directly to the person concerned or to the Headteacher, but if this doesn't resolve things, you can make a complaint. You can do this by contacting a member of staff or the Headteacher by letter, telephone or email. If in any doubt how to proceed, you can contact the school office. If you do not feel you can talk to anyone in school, you can address your concern to the chair of the Local School Committee (LSC), either in writing via the school office or by email at [combemartinLSC@alumnismat.org](mailto:combemartinLSC@alumnismat.org)

We will try and resolve concerns or complaints informally through the 'School Resolution' process. The Headteacher (or LSC chair as appropriate) will arrange for someone to contact you so that they can understand what your concern or complaint is about, investigate it, explain what has happened from the perspective of the school, and think about what might need to be done to put things right.

A complaint dealt with informally will not result in conduct or capability action being taken against an individual member of staff.

### **How does the School Resolution process work?**

Once you have raised your concern or complaint, the person who is looking into it will contact you within five working days. They can arrange to talk to you face-to-face, on the telephone, or they can contact you by letter if you prefer.

You will need to:

- tell the school what happened and how you felt about it
- say what action you would like to see taken as a result
- discuss the process for resolving your concern or complaint - you should expect an approach that is proportionate to the issue you have raised

The school will:

- listen to your concerns
- explain what can happen to resolve your concern or complaint
- confirm with you the process that will be followed and who will deal with it
- if necessary, escalate your complaint to the formal process (see below) to enable a more detailed investigation to be carried out
- provide information for parents and carers of children with Special Educational Needs and Disabilities about how they can access support from The Devon Information Advice and Support service (as required by the SEND Code of Practice)  
[www.devonias.org.uk](http://www.devonias.org.uk) 01392 383080,

[devonias@devon.gov.uk](mailto:devonias@devon.gov.uk)

Once your concern has been looked into, you will be contacted again by the school, normally within 10 working days of the date you notified your complaint. If the matter is complex, more time may be needed, in which case the school will let you know.

The school may take one or more of the following actions in response to your concern or complaint:

- give you information or an explanation either in a meeting or in writing
- learn from the issue, accepting that something could have been handled better and explaining what has been done to stop the same thing happening again
- arrange action by the Headteacher to address an issue with a member of staff through support and development
- arrange action by the Local School Committee / Board of Directors to address matters of policy or procedure
- apologise on behalf of the school
- apologise on behalf of the person your concern or complaint (subject to their agreement).

## School Investigation – The Formal Complaints Procedure (Stage 2)

You may wish to raise a formal complaint either initially, or following the School Resolution stage. It may also be appropriate in some circumstances to escalate an informal complaint before the end of School Resolution, for example if a more extensive investigation is needed.

Formal complaints should be made in writing or by email to the Headteacher of the school concerned. If the complaint is about the Headteacher or a member of the Local School Committee (LSC), the complaint should be addressed to the chair of the LSC via the school office or by email at [combemartinLSC@alumnismat.org](mailto:combemartinLSC@alumnismat.org). If the complaint is about the LSC chair, or about the way the Alumnis Trust is run, the complaint should be addressed to the Chair of the Trust via the school office or by email at [combemartinLSC@alumnismat.org](mailto:combemartinLSC@alumnismat.org).

Although this is a formal investigation into your complaint, it will still be in the spirit of quickly reaching an effective outcome and maintaining positive and productive relationships. The amount of time dedicated to the matter will be in accordance with its seriousness.

Confidential written records will be kept of all formal complaints, and any resulting action taken.

### How does the School Investigation process work?

The person to whom your complaint was addressed will decide how it should be investigated, and an investigating officer will be appointed. The investigating officer will usually be an Alumnis member of staff, LSC member or director with no involvement in the subject of the complaint or in any previous investigation. The investigating officer will contact you within five working days. They can arrange to talk to you face-to-face or on the telephone, or they can contact you by letter if you prefer. The investigating officer will contact you within ten working days to inform you about the progress of the investigation. Where the investigation may take an extended period, you will be given an estimate of how long it might last. You will be informed of the outcome within five working days of the investigation being completed.

You will need to:

- tell the school what happened and how you felt about it
- say what action you would like to see taken as a result
- discuss the process for resolving your concern or complaint
- discuss timescales and the best means of communication
- provide information for parents and carers of children with Special Educational Needs and Disabilities about how they can access support from The Devon Information Advice and Support service (this is a requirement in the SEND Code of Practice)  
[www.devonias.org.uk](http://www.devonias.org.uk) 01392 383080, [devonias@devon.gov.uk](mailto:devonias@devon.gov.uk)

The school will:

- listen to your concerns
- explain what can happen to resolve your concern or complaint
- confirm with you the process that will be followed and who will deal with it
- carry out a detailed investigation into your concern or complaint

The school or the Trust may take one or more of the following actions in response to your concern or complaint:

- give you information or an explanation at a meeting or in writing
- learn from the issue, accepting that something could have been handled better and explaining what has been done to stop the same thing happening again
- take such action to address an issue with a member of staff, LSC member or board member as the Trust considers appropriate in the circumstances
- take such action to address an issue of policy or procedure as the Trust consider appropriate in the circumstances
- apologise on behalf of the school or Trust
- apologise on behalf of the person your concern or complaint (subject to their agreement)

## **Appeal against the decision made following the School Investigation (Stage 3)**

Once you have been notified of the outcome of the School Investigation stage, you will have 20 working days in which to appeal. Notice of appeal should be sent to the person named in the notification or if no-one is named, to the person to whom you originally send your complaint (Headteacher, LSC chair or Board chair).

Appeals will be considered by an appeal panel. All reasonable efforts will be made to convene the panel at a convenient date and time. You will be provided with any relevant documents at least seven days before the meeting. You are entitled to be accompanied at the meeting if you wish.

The appeal panel will consist of at least three people, appointed by the Trust Board. They may include Board or Local School Committee members (including LSC members from other Trust schools) but will have at least one independent member. None of the panel members will have had any previous dealings with your complaint. They will invite you to explain the basis of your appeal and will also hear from others concerned. They will be concerned only with the original complaint and will not be able to consider any new matters. The meeting will be conducted so as to enable everyone to put forward their views in a positive and respectful manner.

The appeal panel will decide whether to uphold the appeal in full or in part, or to reject it. If the appeal is upheld in full or in part, the panel may make recommendations to the Trust Board about what action should follow. You will be notified of the panel's findings, and of any recommendations, within five working days of the hearing. You will be told the outcome of the Board's consideration of any such recommendations within five working days of its discussion.

Once you have received the relevant notifications following the appeal panel meeting, the complaints procedure is complete.

If you are unhappy with the decision and think that the process set out in this document does not meet the statutory requirements, or was not correctly followed, you can refer the matter to the Education Funding Agency. However, they are only able to consider the process by which the decision was reached, not the decision itself. For further information see <https://www.gov.uk/government/publications/complain-about-an-academy>

## **Mediation**

Sometimes, during the handling of a complaint, communication between parents and the school can become difficult. Mediation can be a useful way of helping people to resolve their differences and find an agreed way forward. Both parties need to agree to mediation. The school (or the parent) may suggest mediation, if communication becomes a problem.

Mediation can be sought at any point during the processes of resolution and investigation. The mediation process is informal, impartial and voluntary, and aims to resolve conflicts to the benefit of all. It does not apportion blame and concentrates on developing a better understanding of each other's point of view and works to secure future relationships.

For issues raised relating to SEND (Special Educational Needs and Disability) resources, specialist mediation is a requirement in the SEND Code of Practice.