



## **COMPLAINTS POLICY**

**Presented to  
Trustees  
3 October 2018**

Date approved: <sup>1</sup>	3 October 2018 Trustees Standards Committee
Date reviewed: <sup>2</sup>	5 June 2020 Trustees (Covid-19 Addendum)
Date of next review: <sup>3</sup>	Autumn 2021

<sup>1</sup> This is the date the policy was approved by the meeting

<sup>2</sup> This is the date the policy was reviewed prior to its approval above

<sup>3</sup> This is the date as set by the policy review clause or the date approved plus two years

Footnote:

- Headteacher also means Head of College and Principal
- School also means College, Academy or Academies
- MAT refers to Multi-Academy Trust

# COMPLAINTS POLICY

This policy outlines how the Four Cs Multi Academy Trust deal with complaints. They believe that in the first instance it is advisable to speak to the relevant member of staff as soon as there is a concern. This will mostly likely be the class teacher. This informal approach is nearly always the quickest and most effective way of resolving concerns.

If it is felt that the concern has not been resolved, then it is important to speak to a Line Manager within the school (for example Head of Year, Head of Department, Phase Leader) who will look into the concern. Please contact the Headteacher's PA to arrange this.

## Introduction

1. The following procedures are to be applied in considering complaints about the School.

It is a condition of this Procedure that, unless the Trust Board agrees that special circumstances exist, no complaint may be brought after a period of three (3) months has elapsed since the circumstances giving rise to the complaint first came to the notice of the complainant.

2. If, in the course of consideration of a complaint, it is decided that disciplinary proceedings should be initiated, separate action will be taken as appropriate.

3. The complainant may make his or her representations up to Stage 3 of the procedures in person, accompanied by a friend if so desired. Where appropriate, steps will be taken to ensure that information is available to complainants in languages other than English and arrangements made for an interpreter to be present during any oral representations.

4. The procedures consist of 4 main stages:

Stage 1          Informal discussion with the Line Manager.

Stage 2          Formal written complaint to the Headteacher. This matter will then be delegated to a member of the Senior Management Team (SMT).

Stage 3          Appeal to Headteacher and Appeals Panel. The Appeals Panel will normally consist of the Headteacher and 2 Governors.

Stage 4          Further appeal in writing to the Chair of Trustees.

Further recourse beyond Stage 4 then lies with the Department for Education (DfE).

It should be noted, however, that the DfE will not consider complaints or matters covered by the procedure until the previous stages have been exhausted.

5. In respect of complaints relating to the school, parents / carers should use the formal complaints policy, and should not air any grievances or concerns on Social Media sites, as this could be potentially damaging to the School and the students.

## **STAGE 1**

6. The DfE expects that any concerns expressed by parents / carers will, in the first instance, be dealt with in informal discussion with staff and/or a Line Manager. If the complainants are dissatisfied with the outcome, they may then write to the Headteacher as described in Stage 2.

## **STAGE 2**

7. Complainants must set out their complaint in writing addressed to the Headteacher, making it clear that the complaint is formal, and specifying its nature as exactly as possible.
8. If, in the Headteacher's view, the complaint falls outside the scope of the procedures, the Headteacher will advise complainants in writing of any other recourse they may have.
9. The Headteacher will delegate the investigation of the complaint to a member of SMT who will consider the complaint quickly, and in any event, will inform the complainant in writing within 10 school days (a school day being defined as a day when the school is normally in session) of:
  - (a) the decision reached, and the reason for it; and
  - (b) any action taken or proposed.
10. If the complainant is dissatisfied with this response, or has not received a decision within the time limit imposed in paragraph 9, the complainant may appeal to the Headteacher and the Appeals Panel. This should be done in writing explaining clearly why the complainant is unsatisfied with the decision reached in Stage 2.

## **STAGE 3**

11. Upon receipt of a written appeal to the Headteacher, the Clerk will write to the complainant with details of how the Headteacher and Appeals Panel will consider the complaint, and of the complainant's rights as explained in paragraph 3 and the paragraphs below.
12. The Clerk will convene a meeting of the Headteacher and Appeals Panel to consider the complaint within 12 – 20 school days of receipt of the written appeal letter. The Clerk will give the complainant a minimum of 7 ordinary days' notice of the date, time and place of the meeting; any reasonable request made by the complainant for an alternative date may result in a mutually convenient alternative date being set at the earliest possible time. Complainants who do not wish to attend a meeting may present the complaint in writing to the Appeals Panel. Complainants must, however, submit any such material to the Clerk no later than 2 school days before the meeting.
13. The investigating member of SMT may be present at the Appeals Hearing and be accompanied by a representative if he or she wishes.
14. Where complainants choose to attend in person, the usual order of proceedings shall be as follows:
  - (a) A member of the Appeals Panel will welcome the complainant and any representative and introduce those present.
  - (b) Complainants may, if they choose, restate the nature of the complaint.

- (c) Complainants may be asked questions by the Appeals Panel.
  - (d) The investigating member of SMT may be asked to make a statement to the Appeals Panel regarding the matter complained of, and may be asked questions by the Appeals Panel or by the complainant.
  - (e) Complainants may, if they choose, summarise the complaint.
  - (f) All parties, apart from the members of the Appeals Panel, will then be asked to leave.
15. The Appeals Panel shall consider the complaint and any relevant information or factors. The Appeals Panel shall decide whether or not to:
- (a) reject the complaint; or
  - (b) uphold the complaint; or
  - (c) investigate the complaint further.
16. The Clerk shall inform the complainant in writing of the decision reached by the Appeals Panel and the reasons for the decision within 5 school days.

#### **STAGE 4**

17. If the complainant is unsatisfied with the decision of the Appeals Panel they may write to the Chair of Trustees, who will review all aspects of the complaint and respond accordingly:
- (a) Where the Chair of Trustees decides that the complaints process has not been duly followed or that the Appeals Panel has acted unreasonably or is in default of its statutory duties, the Chair of Trustees may decide that the Appeal should be heard again and appoint a Panel of Trustees for this purpose.
  - (b) Where the Chair of Trustees decides that the complaints process has been followed correctly, the complainant will be informed in writing of this within 10 days. The complainant will be advised that further recourse lies in a complaint to the Department for Education.
- However, it should be pointed out that the Department for Education's powers do not extend to reviewing decisions of the Appeals Panel. The Secretary of State only has the power to decide whether the Trust Board concerned has acted unreasonably or is in default of its statutory duties.**
18. The Secretary of State may require the Trust Board to make annual returns to the Department for Education giving the number of formal complaints dealt with and their outcomes. These returns will not, however, identify individual complainants.

#### **COVID-19**

Please see Covid-19 Complaints Policy Addendum (June 2020) for a procedure to deal with complaints associated with Covid-19.

## **COVID-19 Complaints Policy Addendum (June 2020)**

All schools within the Four Cs MAT are committed to continuing supporting the children of defined keyworkers and identified vulnerable children, whilst working towards the reintegration of Early Years, Reception Class, Year 1 and Year 6 children (in that priority order), as per the Government guidance. This approach is grounded upon the basis that risks associated with Covid-19 have been deemed to be mitigated as much as practicable through precautionary measures taken and risk assessed by school leaders and governors.

The approaches undertaken towards this reintegration and phased school re-opening have been quality assured by the Four Cs MAT whose representatives have acknowledged the risk assessment directly of each school's approach, considering key factors pertinent to individual school circumstances and contexts. To this regard – it is recognised that for a variety of different reasons – each school has taken an approach which relates to the particular risks and mitigation factors able to be implemented and therefore, different schools will have different approaches and capacity related to this.

In addition to an understandable desire to have children return to school – the health and safety of children and school staff remains the main priority when determining the best approaches to match school's context and circumstances.

It is recognised that children and their families also face different circumstances at home and therefore some parents/carers may feel that the school's approach and offer doesn't meet their expectation or satisfaction.

Standard complaints procedures typically follow a set out process and timeline which would be impractical to manage during the current circumstances – especially because schools are being advised to follow national and local authority advice – any complaints that don't relate directly to Covid-19 may have to be postponed until such time that it is practicable to proceed, most likely in person.

In circumstances which relate directly to Covid-19 - following raising your initial concerns with school personnel you remain dissatisfied with your school's approach we ask for you to follow the process outlined below:

**Stage 1:** Your complaints and actions taken to date to resolve this should be raised in writing via email to the School Office addressed to the Chair of Governors – who will then consider your concerns against the school's approach towards Covid-19, National Guidance and school documentation eg Risk Assessments and Recovery Plans. A response should be expected within 48 hours from submission.

**Stage 2:** If you remain dissatisfied with the outcome of Stage 1, you should ensure that this is clear in your written reply to the Chair's Stage 1 response that you would like to proceed to Stage 2. This will then be considered by 2 Governors who have had no prior involvement with your complaint. In the interests of logistics and arrangements – a response should be expected within no more than 72 hours from your request for progression from Stage 1.

**Stage 3:** In the unlikely circumstances where you remain dissatisfied you should reply to your Stage 2 email response clearly identifying this, which will then be shared with a panel of 3 Trustees of the Four Cs MAT – who will review the process followed and decisions made and communicate their outcome within no more than 48 hours from you requesting progression to Stage 3. This decision will be final and not subject to any further course of appeal.

As outlined, because of government restrictions related to gatherings of people – the process shall be purely managed via correspondence.

For the avoidance of doubt – it is recognised that as with any other communicable disease – there cannot be any guarantees for schools to entirely eliminate the risk of contamination or infection, regardless of how detailed and thorough their approach to this work has been.

Approved by the Trustees of the Four Cs MAT: 5 June 2020

Date for Review: Autumn 2021

Signed	
Chair of Trustees	G McLaren