



<b>Policy Approved:</b>	<b>23 August 2021</b>
<b>Next Review:</b>	<b>September 2023</b>
<b>Effective Date:</b>	<b>1 September 2021</b>

**What is a complaint?**

A complaint is an expression of dissatisfaction about actions taken or a lack of action, whether made orally or in writing. This Policy addresses general complaints.

**How to raise a concern or make a complaint**

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with either the Head of Year/ Pastoral lead or the Head of School. If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual Governors/ Trustees to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

Complaints against school staff (except the Principal) should be made in the first instance to the Academy Secretary via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the Head of School/ Chief Executive Officer should be addressed to Mr C. Howorth (the Chair of Trustees), via the Trust office. Please mark them as Private and Confidential.

Complaints about the Chair of Trustees, any individual Governor/ Trustee or the whole Governing Body/ Board of Trustees should be addressed to the Governance Professional via the Trust office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school/ Trust office. You can also ask third party organisations like the Citizens Advice Bureau to help you. In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

**Anonymous complaints**

We will not normally investigate anonymous complaints. However, the head of School, Chief Executive Officer, or Chair of Trustees if appropriate, will determine whether the complaint warrants an investigation.

**Time scales**

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will only consider complaints made outside of this time frame if exceptional circumstances apply.

**Complaints received outside of term time**

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

**Scope of this Complaints Procedure**

This procedure covers all complaints about any provision of community facilities or services by The Unity Schools Trust and its constituent academies, other than complaints that are dealt with under other statutory procedures, including those listed below:

Exceptions	Who to contact
Admissions to schools Statutory assessments of Special Educational Needs School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with the relevant Local Authority.
Matters likely to require a Child Protection Investigation	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH).</p>
Exclusion of children from school*	<p>Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a>.</p> <p>*complaints about the application of the behaviour policy can be made through the Trust's complaints procedure.</p>
Whistleblowing	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters directly with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</p> <p>Volunteer staff who have concerns should complain through the Trust's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
Staff grievances	Complaints from staff will be dealt with under the Trust's internal grievance procedures.
Staff conduct	<p>Complaints about staff will be dealt with under the Trust's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
Complaints about services provided by other providers who may use the Trust's premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
National Curriculum - content	Please contact the Department for Education at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against The Unity Schools Trust in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

### **Resolving complaints**

At each stage in the procedure, The Unity Schools Trust wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we **may** offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

### **Withdrawal of a Complaint**

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

### **How does the Staged Approach work?**

The staged approach is designed to ensure that every effort is made to deal with complaints informally at Academy level in partnership with the complainant. The formal stages should only be triggered where reasonable attempts have been made at an informal resolution and the complainant remains dissatisfied:

- Stage 1 is the informal stage. In the case of a complaint by a Parent/Guardian, the Head of Year/ Pastoral Lead will respond to the first approach and the majority of issues should be resolved at this stage. In the case of a complaint by a member of the public, the Office Manager should be the first point of contact. A decision will then be made as to which member of staff is best placed to deal with the complaint;
- Stage 2 is a formal stage involving the Head of School/ Chief Executive Officer;
- Stage 3 and 4 refers the formal complaint to the Chair of Trustees and the Board of Trustees.

The Policy is designed to manage all complaints but complaints vary in their nature and complexity. Therefore, the Academy will need to consider at which stage a complaint should be dealt with when it is initially raised and which member of staff is best placed to deal with it. Our principal aim is to deal with complaints openly, fairly, promptly and without prejudice.

### **Our procedure for dealing with complaints will:**

- Be made available on both the Unity Schools Trust website and the websites of each constituent academy and through a verifiable written request for a copy of the Policy;
- Be simple to understand and follow;
- Be focused on outcomes;
- Have established time limits for action;
- Keep people informed at all stages;
- Where necessary, respect people's desire for confidentiality;
- Be carefully monitored and evaluated;
- Provide information to the Academy and Trust's Senior Leadership Team so that the Academy's procedures can be monitored.

### **Guidance on each stage of the Procedure**

Any person expressing continued dissatisfaction will be advised of the next stage in the procedure.

### **Stage One: Discuss concerns informally with the relevant Head of Year/ Pastoral Lead**

- Complainants are advised to speak to their child's Head of Year/ Pastoral Lead so everyone has a clear picture of the situation from all points of view. Most problems can be resolved at this informal stage;
- If the complainant indicates that he/she would have difficulty in discussing a complaint with a particular member of staff, the complaint may be referred to another member of staff. This member of staff may not necessarily be more senior;
- The member of staff who is dealing with the complaint should ensure that the complainant is reassured that the matter will be investigated and is clear what action has been agreed. All staff should be aware of the need for confidentiality;
- A brief record of any telephone calls, meetings and agreed actions should always be kept; if either the complainant or staff member feels the matter needs to be taken further, the Head of School should be contacted.

### **Stage Two: Formalising the complaint and lodging it with the Head of School**

- More serious concerns which remain unresolved at the end of Stage 1 should be referred to the Head of School. The Head of School may choose to delegate the complaint for further investigation to a member of the Senior Leadership Team. Any meetings that are held with the complainant in relation to the complaint should be arranged within 10 Academy days. However, more complex complaints may require an extension to this time limit. The formal complaint should be lodged in writing to the Head of School;
- A log of all contacts relating to the complaint should be kept;
- The Head of School or member of the Senior Leadership Team investigating the complaint should communicate the outcome to the complainant in writing. Any agreed actions should be put in writing within 10 Academy days of notification of the outcome.
- If, as a result of the investigation, issues remain unresolved or arise relating to staff discipline or capability, details should remain confidential and be directed to the Head of School. However, the complainant should be informed that the Academy has taken appropriate follow-up action.

### **Stage Three: Formal Complaint referred to the Chair of Trustees**

- The Chair of Trustees will only proceed with this formal stage of the Complaints Procedure if a complaint has been received in writing addressed to the Chair of Trustees and all previous stages have been exhausted;
- The complaint should be made within 10 Academy days of the response at Stage 2 and set out why the complainant remains dissatisfied;
- Acknowledgement of the written complaint should normally be sent by the Governance Professional to the Chair of Trustees and to the complainant within 5 Academy days;
- It is essential that this process is fair and objective. To avoid a conflict of interest, it is vital that the Chair of Trustees does not consider complaints at an earlier stage;
- The Chair of Trustees will notify the Head of School and the complainant as to whether they will be invited to attend a meeting. Alternatively, the Chair of Trustees may decide to consider written material only. Both parties must be treated equally. For example, if the Head of School is invited to a meeting the complainant must also be invited. The Chair of Trustees will usually consider the complaint within 15 Academy days of notification by the Governance Professional;
- If the complaint relates to a staff disciplinary or capability matter about which the Head of School has already taken action, the Chair of Trustees should focus on how the original complaint was managed to avoid prejudicing any ongoing disciplinary or capability procedures;
- If the complaint relates to a student matter, parents will be notified of their right to be accompanied at a meeting if the Chair of Trustees decides to hold one;
- After the Chair of Trustees has considered the complaint a copy of the findings and recommendations will be sent to the complainant, the person complained about and the Head of School within 10 Academy days.
- Any complaint relating to the Head of School must be raised in the first instance with the Chair of Trustees (or Vice-Chair in the absence of the Chair) who will, if an informal resolution cannot be reached, designate a Trustee to investigate in the same way as in the first stage of the formal process outlined above.

#### **Stage Four: Formal Complaint referred to the Board of Trustees**

- The Board of Trustees will only proceed with this formal stage of the Complaints Procedure if they have received a complaint in writing addressed to the Board of Trustees and all previous stages have been exhausted;
- The complaint should be made within 10 Academy days of the response at Stage 3 and set out why the complainant remains dissatisfied;
- Acknowledgement of the written complaint should normally be sent by the Governance Professional within 5 Academy days;
- The Governance Professional will invite the Academy to respond in writing to the complaint. The Academy will do this within 15 Academy days and at the end of that period (whether or not the Academy has responded) the Governance Professional will convene a meeting of the Complaints Panel of the Board of Trustees. That meeting will be held as quickly as practicable given the need to find a date that is reasonably convenient for the complainant, the Academy and the members of the Panel. Whenever possible, the meeting will be held within 15 Academy days of the end of the Academy's response time.
- The Board of Trustees will convene a panel of three Trustees who have not previously been involved in the complaint and at least one person who is independent of the management and running of the Academy. It is essential that this process is fair and objective. To avoid a conflict of interest, it is vital that Trustees do not consider complaints at an earlier stage;
- Trustees who have previously been involved in the complaint and the Chair of Trustees may not be members of the Panel;
- The panel will be provided with copies of the complaint and all other documentation and at least 5 working days' notice of the hearing will be given to all concerned. All parties involved may be accompanied, if desired, by a friend or representative and may call witnesses.
- The meeting is not a court case and will be as informal as circumstances allow. However the structure of the hearing will be as follows:
- The complainant will have the opportunity to present her/his reasons for dissatisfaction and to call witnesses.
- The panel and the Academy will have an opportunity to question the complainant and witnesses.
- The Academy will have the opportunity to respond to the complainant and to call witnesses if appropriate.
- The Panel and the complainant will have the opportunity to question the Academy and any witnesses.
- Both the complainant and the Academy will have the opportunity to make final comments and summarise their position to the Panel.
- All but the members of the Panel and the Governance Professional will withdraw while the panel decision is reached. The panel may make findings and recommendations and a copy of those findings and recommendations will be sent to the Head of School, Chief Executive Officer and complainant. The findings should include an explanation of the conclusion, the reason for it, and any action taken, including details of any request made of those complained against to take particular action in respect of the complaint.
- The Panel will formulate its response as quickly as reasonably possible, aiming to do so within 5 Academy days, and the Governance Professional will notify the complainant, the person complained about, the Head of School, Chief Executive Officer and the Chair of Trustees;
- If the complaint relates to a staff disciplinary or capability matter about which the Head of School has already taken action the Panel should focus on how the original complaint was managed to avoid prejudicing any ongoing disciplinary or capability procedures;
- If the complaint relates to a student matter, parents will be notified of their right to be accompanied at the panel hearing
- This is the final stage in the Trust's Complaints Policy

#### **General Principles**

- Written records will be kept of all complaints at every stage of the process (even the informal stage). Copies of letters of complaint from parents sent to the Chair of Trustees and the response will be sent to the Governance Professional to ensure that an audit trail is maintained.
- All written records will be stored securely and kept confidential.

## Appendix 1

### Complaint Form- Stage 2 and above

Please complete and return this form to the school/ Trust office, who will acknowledge receipt and explain what action will be taken.

<b>Your name:</b>
<b>Pupil's name (if relevant):</b>
<b>Your relationship to the pupil (if relevant):</b>
<b>Address:</b>  <b>Postcode:</b> <b>Day time telephone number:</b> <b>Evening telephone number:</b>
<b>Please give details of your complaint, including whether you have spoken to anybody at the school about it.</b>

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

**Are you attaching any paperwork? If so, please give details.**

**Signature:**

**Date:**

**Official use**

**Date acknowledgement sent:**

**By who:**

**Complaint referred to:**

**Date:**