

Parents/Carers' Complaints Policy

July 2019

Document Control	
Title	Parents/Carers Complaints Policy
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Amendments	Response times added at each of the stages – as requested by ESFA
Related Policies/Guidance	Complaints Policy, One Education
Author	Executive Principal Executive Assistant HR and People, One Education Ltd

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.
- 1.2 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.
- 1.3 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.
- 1.4 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 five-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 five stages are:

Stage 1 – complaint heard by Teacher (Informal)

Stage 2 – complaint heard by Phase Leader (informal)

Stage 3 – complaint heard by Headteacher (formal)

Stage 4 – complaint heard by the Executive Principal (formal – complaint to be received in writing).

Stage 5 – 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. The class teacher will deal with concerns appropriately and provide an update to the parent/carer within 5 school days. 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 Phase Leader should be arranged. The Phase Leader will carry out a thorough investigation where necessary and report the outcome of their investigation to the parent/carer via an arranged meeting within 5 school days. The Phase Leader 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 Phase Leader, or they are dissatisfied with the response from the Phase Leader, the complaint should be escalated to **Stage 3**. An appointment to discuss it with the Headteacher should be arranged. The Headteacher will carry out a thorough investigation and report the outcome of their investigation to the parent/carer via an arranged

meeting within 5 school days. The Headteacher should make notes of the complaint and record the outcome.

- 3.5 Is 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 4**. Complaints are formal at this stage and 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@climanchester.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 and will make an initial appointment to meet with the parent/carer which will be formally minuted by the Executive Assistant to the Trust. The Executive Principal will carry out an internal investigation and will respond to the complaint in writing (via letter or an email) within 10 school days.

- 3.6. If the parent/carer is dissatisfied with the response given by the Executive Principal, the complaint should be escalated to **Stage 5**:

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. The panel will consist of at least three people who are not directly involved in the matters detailed in the complaint. The panel will also include at least one member who is independent of the management and running of the Academy. The Chair will appoint a suitably independent individual to fulfil the role.
3. One of the Directors will be appointed as the Chair of the Complaints panel. This will not necessarily be the Chair of Governors.
4. The Executive Assistant to the Trust (who will be the Clerk for the panel) will invite the parent/carer(s) 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. The parent/carer have the right to be accompanied at a panel hearing if they wish.
5. The panel will make findings and recommendations and stipulates that a copy of those findings and recommendations is:
 - Provided to the parent/carer and, where relevant, the person complaint about and;
 - Available for inspection on the school premises by the proprietor and Headteacher.
 - Provides for a written record to be kept of all complaints
 - Whether they are resolved following a normal procedure, or proceed to a panel hearing and;
 - Action taken by the school as a result of those complaints (regardless of whether they are upheld) and;
 - Provides that correspondence to, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body

conducting an inspection under section 109 of the 2008 Act requests access to them.

The panel will be held in private and the Trust aims to resolve the complaint and achieve reconciliation between the school and the parent/carer.

6. The Executive Assistant will ensure that the parent/carer is informed of the panel's decision, in writing, within 10 school days of the panel hearing.
- 3.7. 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 Governors may write to the parent/carer explaining that complaint has been through all stages of the procedure, is now exhausted and the matter is closed.
- 3.8. Every complaint will receive fair and proper consideration and a timely response but in order for the School/Trust to investigate a complaint, it needs to be made within 3 months of the incident/issue occurring. If a complaint is older than 3 months, it will not normally be investigated.
- 3.10. The response to any anonymous complaints (verbal or written) will be coordinated by a member of the MLT (MAT Leadership Team).
- 3.11. 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.
- 3.12. If a parent/carer has completed the local procedures and remains dissatisfied, they have the right to refer their complaint to the Secretary of State. Links and information provided below:

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 Skills Funding Agency (ESFA)

If a complaint is received by the ESFA, 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 4 and 5. 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 5.
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 ESFA.
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.

Complaints Policy Flow Chart

