

Document Control	
<b>Title</b>	Complaints Policy
<b>Date</b>	July 2023
<b>Supersedes</b>	Parents/Carers Complaints Policy July 2017-2020
<b>Amendments</b>	<p>Changed to 'Complaints' Policy</p> <p>Included 'and others' throughout the policy (not exclusive to just parents and carers).</p> <p>Replaced 'parent/carer' with 'complainant'</p> <p>Replaced 10 school days to 15 school days for conclusion at Stage 4</p> <p>Added complaints from members of the public</p> <p>Added complaints from parents/carers about other families</p>
<b>Related Policies/Guidance</b>	Complaints Policy, The Key for School Leaders <i>(developed with NAHT and approved by Forbes Solicitors. Extracts taken from the DfE and ESFA model complaints procedures for maintained schools, single academies and multi-academy trusts)</i>
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<b>Approval</b>	Board of Trustees
<b>Date of renewal</b>	July 2024

## Definition:

In this policy, the word 'parent' refers to both parents and carers; it includes those with parental responsibility for the child.

## 1. Aims and Expectations

Our schools aim to meet their statutory obligations when responding to complaints from parents of pupils at the school and others.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect and courtesy
- Make sure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law

- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

Our schools will aim to give the complainant the opportunity to complete the complaints procedure in full. To support this, we will make sure we publicise the existence of this policy and make it available on the school and trust websites.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

## 2. Legislation and guidance

This document meets the requirements set out in part 7 of the schedule to **the Education (Independent School Standards) Regulations 2014**, which states that we must have and make available a written procedure to deal with complaints from parents of pupils at the school.

It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on **creating a complaints procedure that complies with the above regulations**, and refers to **good practice guidance on setting up complaints procedures** from the Department for Education (DfE).

This policy complies with our funding agreement and articles of association.

## 3. Definitions and Scope

### 3.1 Definitions

The DfE guidance explains the difference between a concern and a complaint:

- A **concern** is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”
- A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”

### 3.2 Scope

The school intends to resolve complaints informally where possible, at the earliest possible stage. There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does **not** cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Suspension and permanent exclusion

- Whistle-blowing
- Staff grievances
- Staff discipline
- Issues that would be better dealt with by local policing e.g. parking
- Withdrawal from the curriculum (parents and carers can withdraw their child from any aspect of religious education, including the daily act of collective worship. They do not have to explain why.

### **Complaints from members of the public**

Members of the public who have a concern or complaint about a school, should follow this policy from Stage 3. If the complaint is regarding the Headteacher, then this policy should be followed from Stage 4.

### **Complaints from parents/carers about other families**

Parents who have a concern or complaint about a parent or child at a school, which relates to school, should contact their child's class teacher/Senior Leader/Headteacher in the first instance who will meet or speak with the parents. The school will try to resolve all issues at the informal stage which may include a meeting between the person who has raised the concern, the subject of the concern and the teacher/headteacher (or other senior leader, as appropriate).

If the concern or complaint cannot be resolved informally, it will be escalated to a formal complaint.

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

For complaints against CLIC Head office, this policy will apply but substituting Headteacher for CEO and Local Governing Committee for CLIC Trust Board.

## **4. Roles and Responsibilities**

### **4.1 The complainant**

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures
- Co-operate with the school throughout the process and respond to deadlines and communication promptly
- Ask for assistance as needed
- Treat all those involved with respect, in line with the Trust's Aggressive Behaviour Policy
- Exercise discretion and confidentiality when dealing with the complaint, avoiding publishing details about the complaint on social media, to enable a full, fair and impartial investigation

### **4.2 The investigator**

An individual will be appointed to look into the complaint and establish the facts. In Stages 1-3 of the Complaints Process below, the investigator will be the person it has been escalated to i.e. the Headteacher at Stage 3. At Stage 4, the Executive Assistant/CEO may appoint an individual to assist with the investigation.

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report which includes the facts and potential solutions

#### **4.3 The complaints co-ordinator from Stage 3/4 (as required)**

The complaints co-ordinator can be:

- The Headteacher, Head of School or Executive Headteacher/CEO
- A designated complaints Governor/Trustee
- Any other staff member providing administrative support
- The complaints co-ordinator cannot be the same individual as the investigator

The complaints coordinator will:

- Keep the complainant up to date at each stage in the procedure
- Make sure the process runs smoothly by liaising with staff members, the Headteacher, Head of School, Chair of Governors, Clerk, Executive Headteacher/CEO and Chair of Trustees
- Keep records
- Be aware of issues relating to:
  - Sharing third party information
  - Additional support needed by complainants, for example interpretation support or where the complainant is a young child or young person.

#### **4.4 Clerk to the complaints hearing panel**

The clerk will:

- Be the contact point for the complainant and the complaints hearing panel, including circulating the relevant papers and evidence before complaints committee meetings
- Arrange the complaints hearing
- Record and circulate the minutes and outcome of the hearing

Where a complaint is escalated to Stage 4 and above, an outside provider may be appointed as clerk to the governing board.

#### **4.5 Committee Chair**

The committee chair will:

- Chair the meeting, ensuring that everyone is treated with respect throughout
- Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case

#### **5. Timescales**

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would be a desired outcome

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We will consider exceptions to this timeframe in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the first school day after the holiday period. Where a complaint is received in term time with a school holiday break during the investigation period, the investigation will be postponed during the break and will commence on the first school day back. See data protection policy for information relating to subject access requests.

If, at any point, we cannot meet the timescales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay
- Review the timescales with HR support

## 6 Stages of Complaint

CLIC has a five-stage process for dealing with complaints in all schools:

<b>Stage 1</b>	complaint heard by Teacher (informal)
<b>Stage 2</b>	complaint heard by a member of the senior leadership team (not Headteacher – informal)
<b>Stage 3</b>	complaint heard by Headteacher (formal)
<b>Stage 4</b>	complaint heard by the Executive Headteacher (formal – complaint to be received in writing).
<b>Stage 5</b>	complaint heard by the Complaints Hearing Panel

### 6.1 Stage 1 (informal)

If there is a concern 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 raised with the class teacher. It may be necessary to arrange a meeting at a mutually convenient time between the complainant and the teacher to discuss. The majority of concerns/ complaints are concluded satisfactorily at this stage. Stage 1 must be managed in a timely manner.

### 6.2. Stage 2 (informal)

If the complainant is dissatisfied with the outcome at Stage 1, or the complaint is in relation to a class teacher, an appointment to raise this with a member of the senior leadership team should be arranged by contacting the school office. The senior leader will carry out a thorough investigation and report the outcome of their investigation to the complainant via a mutually convenient meeting. The senior leader should make notes of the complaint and record the outcome, uploading to CPOMS. Stage 2 must be managed in a timely manner.

### 6.3 Stage 3 (Formal)

If the complainant is dissatisfied with the outcome at Stage 2, or the complaint is in relation to a senior leader, the complainant is required to put the complaint to the Headteacher via:

- Letter or email (**head@SCHOOL**)
- Over the phone (**school number**)
- In person
- Through a third party acting on their behalf (with a consent form signed by the complainant)

The complainant is required to state clearly the reasons why they are dissatisfied and what they feel would resolve the complaint.

The Headteacher will:

- Record the date the complaint is received and acknowledge receipt of the complaint in writing (either by email or letter) within 3 school days.
- Arrange a mutually convenient time and date for a meeting to discuss the complaint.
- Carry out a thorough investigation and report the outcome of their investigation to the complainant in writing (via email or letter) within 15 school days.
- Ensure minutes are taken at each stage of the complaint.

The complainant may be accompanied to meetings with the Headteacher and should inform the Headteacher of the identity of their companion in advance.

In certain circumstances, the school may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, the school will notify the complainant as soon as they are aware, so that the complainant has the opportunity to arrange alternative accompaniment.

### 6.4 Stage 4 (Formal)

If the complainant is dissatisfied with the outcome at Stage 3, or the complaint is in relation to Headteacher, the complainant is required to put the complaint to the Executive Headteacher, within 10 school days, using any of the following:

- Letter or email
- Over the phone (on speakerphone to enable the clerk to take accurate minutes)
- In person
- Through a third party acting on their behalf (with a consent form signed by the complainant)

The letter/email should include your contact details and be marked for the attention of the Executive Headteacher and sent to:

**Email:** [ctravis@clctrust.org](mailto:ctravis@clctrust.org)

**Letter:** For the attention of Clair Travis, Executive Assistant  
Executive Headteacher  
Changing Lives in Collaboration Trust  
c/o Chorlton Park Primary School, Mauldeth Road West

Chorlton, Manchester M21 7HH

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

**Over the phone:** 0161 938 1751

The complainant is required to state clearly the reasons why they are dissatisfied and what they feel would resolve the complaint.

The Executive Headteacher and Executive Assistant will:

- Record the date the complaint is received and acknowledge receipt of the complaint in writing (either by email or letter) within 3 school days.
- Arrange a mutually convenient time and date for a meeting or to speak to discuss the complaint.
- Carry out a thorough investigation and report the outcome of their investigation to the complainant in writing (via email or letter) within 15 school days.
- Ensure minutes are taken at each stage of the complaint.

The complainant may be accompanied to meetings with the Executive Headteacher and should inform the Executive Assistant of the identity of their companion in advance.

In certain circumstances, the Trust may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, the Executive Assistant will notify the complainant as soon as they are aware, so that the complainant has the opportunity to arrange an alternative accompaniment.

## **6.5 Stage 5 (Complaints Hearing Panel)**

If the complainant is dissatisfied with the outcome of stage 4, the complainant can request that the complaint be reviewed at stage 5 level. For the avoidance of doubt, stage 5 does not involve a reinvestigation of the complaint, but a review of the stage 4 complaint conducted by the Executive Headteacher.

### **Convening the panel**

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at Stage 4.

The complainant should request a Stage 5 Complaint Form from Clair Travis, Executive Assistant, within 10 school days.

The form asks for specific information as to why the complainant is dissatisfied with the outcome of the investigation at Stage 4 and what they feel would resolve the complaint. The form should be requested from, completed and sent back to:

**Email:** [ctravis@clctrust.org](mailto:ctravis@clctrust.org)

**Mail:** For the attention of Clair Travis, Executive Assistant  
Chair of Trustees  
Changing Lives in Collaboration Trust  
c/o Chorlton Park Primary School, Mauldeth Road West  
Chorlton

Manchester

M21 7HH

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

The panel will be appointed by or on behalf of the Chair of Trustees and must consist of at least 3 people who are not directly involved in the matters detailed in the complaint. At least 1 panel member must be independent of the management and running of the school (this can be a governor from another CLIC school). The panel cannot be made up solely of the school's local governors, as they are not independent of the management and running of the school.

The panel will have access to the existing record of the complaint's progress.

The complainant must have reasonable notice of the date of the complaint hearing. The clerk will aim to find 3 dates within 20 school days of the request, where possible.

If the complainant rejects the offer of 3 proposed dates without good reason, the clerk will set a date. The hearing will go ahead using written submissions from both parties.

Any written material will be circulated to all parties at least 7 days before the date of the meeting.

### **At the panel hearing**

The meeting will be held in private and in person. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending will be sought before meetings or conversations take place. Consent will be recorded in the minutes taken.

At the meeting, the complainant and panel members will be present. The complainant will have an opportunity to provide a written or oral submission prior to the meeting.

The complainant must be allowed to attend the meeting and be accompanied if they wish. We don't encourage either party to bring legal representation, but will consider it on a case-by-case basis. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by their union. This support for either party should be achieved within the timescales of the complaints policy.

Representatives from the media are not permitted to attend.

At the meeting, the panel will consider the complainant's submission and refer to and review the investigation and evidence provided by the Executive Headteacher at Stage 4.

The panel and the complainant will be given the chance to ask and reply to questions. Once the complainant has presented their case and the panel have asked questions and gathered the information they need, the meeting will be brought to a close.

The panel will then put together its findings and recommendations from the case after the meeting and without the complainant present. The panel may also require to speak to the Executive Headteacher to ask further questions or obtain further information. The panel will also provide copies of the minutes of the hearing and the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the Trust and Executive Headteacher.



## **The outcome**

- Uphold the complaint, in whole or in part
- Dismiss the complaint, in whole or in part.

If the complaint is upheld, the panel will:

- Decide the appropriate action to resolve the complaint
- Where appropriate, recommend changes to the school/Trust's systems or procedures to prevent similar issues in the future

The Trust will inform the complainant and those involved of the decision in writing within 10 school days after the complaint hearing.

## **7. Complaints against the Executive Headteacher, a Governor or Trustee**

### **7.1 Stage 1: informal**

Complaints made against the Executive Headteacher, Governor or Trustee should be directed to the Executive Assistant in writing (by email or letter) in the first instance (see Page 7 for contact details).

If the complaint is about the Executive Headteacher, Governor or 1 member of the Trust Board (including the chair or vice-chair), a suitably skilled and impartial governor will carry out the steps at Stage 1 (set out in Stage 4 in section 6 above).

### **7.2 Stage 2: formal**

If the complaint is:

- Jointly about the chair and vice chair of the local governing committee or
- The entire local governing committee or
- The majority of the local governing committee

A suitably skilled Trustee appointed by the Chair of the Board will hear the complaint. They will carry out the steps at Stage 2 (set out in Stage 4 in section 6 above) and will write a formal response at the end of their investigation.

If the complaint is:

- Jointly about the chair and vice chair of the board of trustees or
- The entire board of trustees or
- The majority of the board of trustees

A suitably skilled Member of the Trust or Independent investigator will hear the complaint. They will carry out the steps at Stage 2 (set out in Stage 4 in section 6 above).

### **7.3 Stage 3: (Complaints Hearing Panel)**

If the complaint is:

- Jointly about the chair and vice chair of the local governing committee or
- The entire local governing committee or
- The majority of the local governing committee

A committee of independent governors will hear the complaint. They will be sourced from local schools or the local authority and will carry out the steps at stage 3 (set out in Stage 5 in section 6 above).

If the complaint is:

- Jointly about the chair and vice chair of the board of trustees or
- The entire board of trustees or
- The majority of the board of trustees

A committee of independent trustees will hear the complaint. They will be sourced from local schools or the local authority and will carry out the steps at stage 3 (set out in Stage 5 in section 6 above).

## **8. Referring complaints on completion of the processes in this policy**

If the complainant is unsatisfied with the outcome of this complaints procedure, they can refer their complaint to the Education and Skills Funding Agency (ESFA). The ESFA will check whether the complaint has been dealt with properly by the school and trust. The ESFA will not overturn a school or trusts' decision about a complaint, but will intervene if a school or trust has:

- Breached a clause in its funding agreement
- Failed to act in line with its duties under education law
- Acted (or is proposing to act) unreasonably when exercising its functions

If the trust's complaints procedure is found to not meet regulations, the trust will be asked to correct its procedure accordingly.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

We will include this information in the outcome letter to complainants.

## **9. Persistent complaints**

### **9.1 Unreasonably persistent complaints**

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Has made the same complaint before, and it's already been resolved by following the school's complaints procedure

- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure, beyond all reason
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refuses to co-operate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the timeframes it sets out
- Makes a complaint designed to cause disruption, annoyance or excessive demands on school time
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value

### Steps we will take

We will take every reasonable step to address the complainant's concerns, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place. We may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as Citizens Advice
- Put any other strategy in place as necessary

### Stopping responding

We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns
- We have provided a clear statement of our position and their options
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from our school site.

## **9.2 Duplicate complaints**

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and that the local process is complete
- Direct them to the ESFA if they are dissatisfied with our original handling of the complaint

If there are new aspects, we will follow this procedure again.

### **9.3 Complaint campaigns**

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all of the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

## **10. Record keeping**

From Informal to Stage 3 of the complaints process, the school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. At stages 4 and 5 of the complaints process, the trust will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved and the final outcome. All records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the complaints hearing panel.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

No meeting at any stage of the complaints process should be recorded without the consent of every person in the meeting.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and [records management policy/record retention schedule].

The details of the complaint, including the names of individuals involved, will not be shared with the whole local governing committee or board of trustees in case a complaints hearing panel needs to be organised at a later point.

Where the governing board is aware of the substance of the complaint before the complaints hearing panel stage, the school and/or Trust will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the board of trustees, who will not unreasonably withhold consent.

#### **11. Learning lessons**

The board of trustees will review any underlying issues raised by complaints with the Executive Headteacher where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school and/or trust can make to its procedures or practice to help prevent similar events in the future.

#### **12. Monitoring arrangements**

The Executive Assistant, overseen by the Executive Headteacher, will monitor the effectiveness of the complaints procedure in making sure that complaints are handled properly. The Executive Headteacher will track the number and nature of complaints, and review underlying issues with the board of trustees as stated in section 11.

The complaints records are logged and managed by the Executive Assistant.

This policy will be reviewed by Executive Assistant and Executive Headteacher annually.

At each review, the policy will be approved by board of trustees.

#### **13. Links with other policies**

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Suspension and permanent exclusion policy
- Staff grievance procedures
- Staff disciplinary procedures
- SEN policy and information report
- Privacy notices

#### **The subject of a complaint**

The subject of any complaint will be treated fairly throughout the process.

The subject of any complaint at Stage 2 or above should be kept informed of the progress of the complaint against them at all stages. In particular, they should receive notification that a complaint has been made against them when the outcome of a complaint has been decided.

The subject of any formal complaint will be offered the opportunity of support through the process from a workplace colleague of their choice from within the school, or where this is not possible, from within the Trust or their Trade Union Representative. The workplace colleague should not be involved in the complaint, nor should they be involved in any future appeal should an appeal take place.

The role of the workplace colleague is to provide support to the subject of any complaint both in preparation for, and during, any meetings regarding the matter. It is not the role of the workplace colleague to speak on behalf of the of the subject of any complaint or to 'represent' the subject.

In exceptional circumstances, it may be necessary for a subject of a complaint to be suspended during the investigation period. Any suspension is entirely without prejudice and the subject of the complaint will remain on full pay throughout and the period will not be considered as absence. The suspension period should be kept to a minimum and reviewed fortnightly. A 'Keep in touch' plan will be arranged at the point of suspension detailing the contact arrangements between the subject of the complaint and the Trust.

# Complaints Policy Flow Chart

