

Document Control	
<b>Title</b>	Parents/Carers Complaints Policy
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<b>Amendments</b>	Changed 'Academies' to 'Schools' Changed 'Phase Leaders' to 'Senior Leaders' Changed 'LGBs' to 'LGCs' Changed 'EFA' to 'ESFA'
<b>Related Policies/Guidance</b>	Complaints Policy, One Education
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## 1. Aims and Expectations

- 1.1 Schools 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 Headteacher for CEO and Local Governing Committee for CLIC Trust Board.

## 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 a member of the senior leadership team (not Headteacher – informal)

**Stage 3** – complaint heard by Headteacher (formal)

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

**Stage 5** – complaint heard by the Local Governing Committee (LGC) 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 which is **Stage 1**. It may be necessary to arrange a mutually convenient time to meet to discuss the concern face to face. The vast majority 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 a member of the senior leadership team should be arranged. The senior leader will carry out a thorough investigation where necessary and report the outcome of their investigation to the parent/carer via an arranged meeting. The senior 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 senior leader, or they are dissatisfied with the response from the senior 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. The Headteacher should make notes of the complaint and record the outcome.

- 3.5 If 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, details below) to the CEO/Executive Headteacher within 10 school days of the informal meeting with the Headteacher:

**Email:** [ctravis@climanchester.com](mailto:ctravis@climanchester.com)

**Letter to be written to the Executive Headteacher and sent to:** Clair Travis, Executive Assistant, 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'.*

During this stage, the Executive Headteacher will deal with the complaint. If the written complaint is detailed, the Executive Headteacher will first meet with the Headteacher and then make an appointment to meet with the parent/carer. Both meetings will be formally minuted by the Executive Assistant to the Trust. The CEO/Executive Headteacher will carry out an internal investigation and will respond to the complaint in writing (via letter or an email) or at a scheduled meeting within 10 school days.

- 3.6. If the parent/carer is dissatisfied with the response given by the CEO/Executive Headteacher, 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, details above) within 10 school days of the letter/email received by the CEO/Executive Headteacher. 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.
  3. One of the Trustees will be appointed as the Chair of the Complaints panel.
  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.
  5. The complaints panel will include at least one member who is independent of the management and running of the school and will not be made up solely of Local Governing Committee members. The Chair of the panel will appoint a suitably independent individual to fulfil the role.
  7. 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.
  8. 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.
  9. The complaints panel will aim to reach an outcome in respect of the complaint (i.e. upheld, partially upheld, not upheld, unable to substantiate). The panel will also decide and agree on any appropriate action to be taken as a result of the complaint and make recommendations to change processes/procedures to ensure problems of a similar nature do not recur.

- 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 the 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 three months of the incident/issue occurring. If a complaint is older than three months, it will not normally be investigated.
- 3.9. Correspondence, statements and records will remain confidential except in so far as where disclosure is required in the course of the school's investigation, or where other legal obligation prevails.
- 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 school. They will consider complaints about schools that fall into any of the following three areas:

1. Where there is undue delay or the school did not comply with its own complaints procedure when considering a complaint.
2. Where the school is in breach of its funding agreement with the Secretary of State.
3. Where a school has failed to comply with any other legal obligation.

Both bodies will not overturn a school's decision about a complaint however, if they find an school 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 school's complaints procedure does not meet the regulations, they will ask the school 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. The subject of a complaint**

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

- 4.1.1 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. This notification will be communicated to the subject in writing.
- 4.1.2 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.
- 4.1.3 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.
- 4.1.4 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.

## 5. **Unreasonable, persistent complaints**

5.1 A complaint may become unreasonable if the person:

- Has made the same complaint before and it's already been resolved by following the Trust's complaints procedure.
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive.
- Knowingly provides false information.
- Insists on pursuing a complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refuses to co-operate with this procedure or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frame it sets out.
- Changes the basis of the complaint as the investigation goes on.
- Makes a complaint to cause disruption, annoyance or excessive demands on school time.
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value.

5.2 Steps we will take:

Every reasonable step will be taken 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 mediator 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.

## **6. Monitoring and Evaluation**

- 6.1 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 3 and such records may be shared with the Trustees/Governors as appropriate.
- 6.2 Training for Headteachers on how to deal with complaints will be considered at the time of review on an annual basis. Headteachers will be required to undertake this training should the Executive Headteacher feel that this is a requirement.

## **7. Other Information**

- 7.1 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. 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

