



Complaints Policy

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1. Introduction

CORE Education Trust and its schools want to deal with issues, concerns and complaints that you have as promptly and effectively as we can. If you have any concerns we encourage you in the first instance, to go directly to the person who is most appropriate to respond to your concern.

For parents/carers or pupils this will usually be the class or form tutor, a senior member of staff, or the Headteacher. *(If you are not a parent/carer of a pupil attending the school you should contact the Headteacher)*

For staff this will usually be the member of staff directly involved or their immediate line manager.

Schools are required by law to have a complaints procedure that aims to ensure that concerns and complaints are handled in a fair and non-adversarial manner.

2. Aims

This procedure is intended to deal with concerns or complaints relating to the actions of staff and the application of school procedures where they affect individual pupils except in matters relating to the following which are dealt with under separate procedures (details of which are available from the school/Trust):

- A permanent exclusion.
- An admission issue.
- Statutory assessments of SEND.
- School re-organisation proposals.
- Matters likely to require a Child Protection Investigation.
- Staff grievances and disciplinary procedures.
- Complaints about service providers by other providers who may use school premises or facilities.

The Trust and its schools encourage anyone wishing to raise a concern to make every effort to resolve the concern informally – please help us by following these steps.

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Please note:

- any concern or complaint should be brought to the attention of the school at the earliest opportunity; any matter raised more than 3 months after the event will only be considered in exceptional circumstances.
- an anonymous complaint will be considered under the whistleblowing policy.

3. Raising your Concern (Informal Stage 1)

It is expected that in most cases the class teacher, form tutor, phase lead, Assistant Headteacher or a senior member of staff will be able to resolve your concerns without the need to go any further. You can help them to resolve your concerns by arranging to meet him/her at a convenient time, discussing your concerns in a positive atmosphere and allowing them the time that they require to investigate the matter further themselves.

Where the first approach is made to a Trust Director or Governor, they will refer the person raising a concern to the school procedure, and advise you to contact the school directly. Directors and Governors will not act unilaterally on an individual concern or complaint or be involved at the early stages of an issue in case they are needed to sit on a panel at a later stage of the procedure.

The school will respect the views of a person raising a concern or complaint who indicates that he/she would have difficulty discussing the issue with a particular member of staff. In these cases, the line manager can refer the parents or member of public to another staff member. The ability to consider the concern or complaint objectively and impartially is crucial.

If, having raised your concern with the above staff and you are still dissatisfied, or if they are the subject of your concern, then you should move on to step two, contacting the Headteacher or the Deputy.

If the issue concerns the Headteacher, then you should write to the Chair of Local Governing Body in the first instance who will deal with the query.

4. Issue Unresolved and Referred to the Headteacher or Deputy

Again the aim is to reach resolution informally on the matter raised.

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You may be asked to put your concerns in writing but the aim will usually be able to deal with your concerns face-to-face. The Senior Leader will attempt to resolve your concerns using any reasonable means that s/he feels are appropriate: this may involve meeting with you to discuss the matter further, or delegating another senior member of staff to investigate.

The school should be allowed reasonable time to investigate the concern or complaint and gather any information that is required. On this basis you should expect to receive initial feedback no later than 10 school days after giving them the details.

If, having raised your concern with the Headteacher you are still dissatisfied and feel the matter unresolved then you should move on to the Formal Complaints Procedure.

5. Formal Complaints Procedure: Complaint referred to the Chair of the Local Governing Body

The use of the formal complaints procedure should be actioned, if you are still dissatisfied after the informal processes above have been followed or the complaint is directly related to the Headteacher. You should put your complaint in writing, and send it to the Chair of the Local Governing Body care of the school address.

The Chair of the Governing Body will decide on an appropriate course of action, depending on the issue. This could be meeting with the Chair in the first instance or meeting a group of LGB/Trust representatives constituting a Complaints Panel.

6. Complaints Panel

Individual complaints will not be heard by the whole Local Governing Body, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint, or the need for an appeals process. At this stage a Complaints Panel will be formed consisting of at least three people, one of which will be a Trust Director who is not a member of the LGB. The LGB will nominate up to three members. Any member of the Complaints Panel must be independent of the direct management of the school about which the complaint is being made.

7. The Remit of Complaints Panel

The panel can:

- dismiss the complaint in whole or in part.
- uphold the complaint in whole or in part.
- decide on the appropriate action to be taken to resolve the complaint.
- recommend changes to the school's systems, recommend disciplinary action, or other procedures to ensure that issues of a similar nature do not recur.

All Governors/Directors sitting on a complaints panel will work within the following guidelines:

- It is important that the appeal hearing is independent and impartial. No Governor may sit on the panel if they have a prior involvement in the complaint or in the circumstances surrounding it. Any member of the Complaints Panel must be independent of the direct management of the school about which the complaint is being made.
- The panel will be sensitive to the issues of equality as outlined in the equality policy.
- The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised that the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
- An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as considerate as possible.
- Extra care needs to be taken when the complainant is a pupil. Governors will consider the welfare of the pupil in its arrangements of the hearing. The panel needs to be aware of the views of the pupil and give them equal consideration to those of adults.
- The Governors/Directors sitting on the panel need to be fully conversant of the complaints procedure.

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8. Roles and Responsibilities

The Role of the Headteacher

- Ensure that correct school procedure is used to respond to concerns or complaints about staff raised within the school informal stages above.
- staff raised within the school within informal procedures above.
- Ensure that appropriate action is taken as a result of a concern or complaint about a member of staff in school within informal procedures above.
- Ensure that concerns or complaints referred to the Headteacher are logged, and that appropriate action is taken. Ensure that concerns or complaints are responded to within a reasonable timeframe.
- Ensure that anyone raising a concern is aware of the formal procedure for complaints if they are dissatisfied with the action to date.

The Role of the Clerk

Any governance group considering complaints will be supported by a clerk. He/she will be the contact point for the complainant and will:

- set the date, time and venue of the hearing, taking reasonable measures to ensure that the dates are convenient to all parties and that the venue and proceedings are accessible.
- collate any written material and send it to the parties in advance of the hearing.
- meet and welcome the parties as they arrive at the hearing.
- record the proceedings.
- notify all parties of the panel's decision.

The Role of the Chair

The Chair of the Panel has a key role, ensuring that:

- the hearing and decision making process are chaired effectively.
- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption.
- the issues are addressed.
- key findings of fact are made.

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- parents and others who may not be used to speaking at such a hearing are put at ease.
- the hearing is conducted in an informal manner with each party treating the other with respect and courtesy.
- the panel is open minded and acting independently.
- no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure; each side is given the opportunity to state their case and ask questions.
- written material is seen by all parties by the date specified by the clerk. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

9. Notification of the Panel's Decision

The chair of the panel will ensure that the complainant is notified of the panel's decision, in writing, with the panel's response within ten working days.

10. School Complaints Procedure Checklist for a Panel Hearing

The panel needs to take the following points into account:

- Witnesses are only required to attend for the part of the meeting in which they give evidence. (Witnesses may include the member of staff against whom the complaint was made).
- After introductions, the complainant is invited to explain their complaint, and use their witnesses to support their case, in turn.
- The Headteacher may question both the complainant and use their witnesses to support their case, in turn.
- The Headteacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the Headteacher and the witnesses after each has spoken.
- The Panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Headteacher is then invited to sum up the school's response to the complaint.
- The Chair explains that both parties will hear from the panel within a set time scale.
- The Headteacher and complainant leave together while the panel decides on any actions to be taken.

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The decisions and any recommendations from the panel, will be sent in writing to the complainant within 10 working days.

There may be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. At this point the complainant could appeal to the Chair for the Board of Directors of CORE Education Trust in writing. The Chair will not re-hear the complaint, but will review the procedures followed against policy. The complainant will be informed in writing by the Chair of his/her decision and recommendations if any within ten working days.

There will be occasions when despite all stages of the procedures and appeal having been followed, that the complainant remains dissatisfied. If the complainant tries to re-open the same or related issue, the Chair of the Board of Directors of the Trust will inform them in writing that the procedure has been exhausted and that the matter is now closed. The complainant may refer their complaint to the DfE or EFA. Their remit is to review due process.

11. Unreasonable Complainants

CORE Education Trust is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with the school. However, we do not expect our staff to tolerate unacceptable behavior and will take action to protect staff from that behavior, including that which is abusive, offensive or threatening.

The Trust defines unreasonable complainants as *'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints'*.

A complaint may be regarded as unreasonable when the person making the complaint:

- Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance.
- Refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved.
- Refuses to accept that certain issues are not within the scope of a complaints procedure.

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- Insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- Introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales.
- Makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced.
- Changes the basis of the complaint as the investigation proceeds.
- Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed).
- Refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the DfE/EFA.
- Seeks an unrealistic outcome.
- Makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:

- Maliciously.
- Aggressively.
- Using threats, intimidation or violence.
- Using abusive, offensive or discriminatory language.
- Knowing it to be false.
- Using falsified information.
- Publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should limit the number of communications with school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

Whenever possible, the headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

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If the behaviour continues the headteacher/Chair will write to the complainant explaining that their behavior is unreasonable and asking them to change it. For complainants who excessively contact the school causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from the school site.

12. Barring from the Schools and Public Places.

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of their communities.

If a parent/carer's behavior is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the headteacher or the Trust can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representation that the person may wish to make. Schools should always give the parent the opportunity to formally express their views on the decision to bar in writing.

The decision to bar should then be reviewed, taking into account any representation made by the parent, and either confirmed or lifted. If the decision is confirmed the parent should be notified in writing, explaining how long the bar will be in place.

Anyone wishing to complain about being barred can do so, by letter or email, to the headteacher or Chair of Governors in line with this complaints policy. However, complaints about barring cannot be escalated to the Department for Education. Once the school's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

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