

# COMPLAINTS PROCEDURE

<b>Date Drafted:</b>	<b>Summer 2017</b>
<b>Date Presented to Trust Board:</b>	<b>October 2017</b>
<b>Date Adopted by LGB:</b>	
<b>Review Frequency:</b>	<b>Bi-Annually or as legislation changes require</b>
<b>To be Reviewed By:</b>	<b>Northworthy Trust HR Team</b>

# Contents

1. OVERVIEW .....	3
1.1 Introduction.....	3
1.2 Dealing with Complaints – Initial concerns .....	3
1.3 Dealing with Complaints – Formal procedures.....	3
2. PROCESS (also see flow chart) .....	3
2.1 Complaints relating to individual schools.....	3
2.2 Complaints relating to The Trust.....	4
3. The Remit of the Complaints Panel.....	4
4. Vexatious Complaints .....	4
5. Investigating Complaints.....	4
6. Recording Complaints.....	5
7. Review of Complaints .....	5
8. Publicising the Procedure.....	5
COMPLAINT PROCEDURE FLOWCHART .....	6
COMPLAINT FORM.....	7

# I. OVERVIEW

## I.1 Introduction

Section 29 of the Education Act 2002 requires schools to have in place a procedure to deal with complaints relating to the school and any community facilities or services that the school provides. The law also requires the procedure to be publicised. This policy sets out the intentions of the Northworthy Trust (the Trust) and its Schools for dealing with complaints.

## I.2 Dealing with Complaints – Initial concerns

Each school within The Trust will attempt to handle all concerns at the earliest opportunity and therefore avoid the need for formal procedures. The Trust believes that taking informal concerns seriously at the earliest stage will reduce the number that develop into formal complaints. The requirement to have a formal complaints policy does not undermine our efforts to resolve concerns informally if possible.

In most cases, the member of staff working directly with the student will receive the first approach and the school will equip staff to resolve issues on the spot wherever possible.

## I.3 Dealing with Complaints – Formal procedures

The formal procedures will be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concerns remains dissatisfied and wishes to take the matter further. Each school will nominate a Complaints Coordinator who has the responsibility for the operation and management of this procedure. Complainants will be encouraged to state what actions they feel might resolve the problem at any stage.

# 2. PROCESS (also see flow chart)

## 2.1 Complaints relating to individual schools

### **Informal procedure**

The relevant class teacher or other relevant member of staff will respond directly to the complainant and resolve the issue. The complainant will be informed in writing of the school action and if they are not satisfied, informed of how to proceed to the formal procedure.

### **Formal procedure – Stage 1**

The complaint is submitted on the complaints pro-forma to the Headteacher who will acknowledge receipt, investigate and provide a full written response within 15 school days. The Headteacher may delegate the investigation to a senior member of school staff. If unresolved;

### **Formal procedure – Stage 2**

The complaint is submitted to the Clerk to Governors requesting that the complaint be heard by the Local Governing Body Complaints Panel. The Clerk to Governors will arrange a hearing within 25 school days and confirm the decision in writing. There is no further recourse to internal school procedures.

## 2.2 Complaints relating to The Trust

Any complaint relating to the Trust and not falling to be dealt with by the Headteacher or Local Governing Body will be dealt with under the following process.

### Informal procedure

The relevant member of the Trust central staff team will respond directly to the complainant and resolve the issue. The complainant will be informed in writing of the Trust's action and if they are not satisfied, informed of how to proceed to the formal procedure.

### Formal procedure – Stage 1

The complaint is submitted on the complaints pro-forma to the Chief Executive Officer who will acknowledge receipt, investigate and provide a full written response within 15 school days. If unresolved:

### Formal procedure – Stage 2

The complaint is submitted to the Company Secretary requesting that the complaint be heard by the Trust Complaints Panel. The Company Secretary will arrange a hearing within 25 school days and confirm the decision in writing. The complainant may progress the complaint to the Secretary of State and Local Government Ombudsman if not satisfied with the decision.

## 3. The Remit of the Complaints Panel

The Complaints Panel at school and Trust level will be independent and impartial and no governor will sit on the panel if they have had prior involvement in the complaint or in the circumstances surrounding it. The panel will include one member who is independent of the school. The remaining members will consist of a cross-section of the categories of governor and be sensitive to the issues of race, gender and religious affiliation. The panel will aim to resolve the complaint and achieve reconciliation between the school and the complainant. It has to be recognised that the complainant might not be satisfied with the outcome if the panel 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.

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 or procedures to ensure that problems of a similar nature do not recur

## 4. Vexatious Complaints

There may be occasions when, despite all stages of the procedure having been followed, the complainant remains dissatisfied. If the complainant tries to re-open the same issue, the Chair of Governors / Chair of the Trust Board is able to inform them in writing that the procedure has been followed and that the matter is now closed. (Refer to Vexatious Complaints Policy)

## 5. Investigating Complaints

The Headteacher, CEO, Complaints Co-ordinator or nominated member of staff will:

- Establish what has happened so far, and who has been involved
- Clarify the nature of the complaint and what remains unresolved
- Meet with the complainant or contact them to clarify or gain further information
- Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish

- Conduct all interviews with an open mind
- Keep notes of the interview/s and record the outcome
- Provide a full written response to the complainant

## 6. Recording Complaints

The Complaints Coordinator will record the progress of complaints and the final outcome and ensure that the complainant and the school have the same understanding of what was discussed and agreed.

## 7. Review of Complaints

The Trust and its Governing Bodies will monitor the level and nature of complaints and review the outcomes on a termly basis to ensure the procedure is operating effectively.

## 8. Publicising the Procedure

This procedure will be available on the Trust and school's websites and referred to in any school brochure.

# COMPLAINT PROCEDURE FLOWCHART

**CONCERN OR COMPLAINT RECEIVED**



<b>INFORMAL PROCEDURE</b>	<b>SCHOOL/TRUST ACTION</b>
Informal discussion with the relevant class teacher or other relevant member of staff usually resulting in resolution of the issue. <b>If the complaint is about the Headteacher/ CEO – proceed to Stage 2</b>	The complainant is informed of the action to be taken to resolve the issue. If they are not satisfied they should be provided with a copy of the complaints procedure and information on how to proceed to stage 1



<b>FORMAL PROCEDURE – STAGE 1</b>	<b>SCHOOL/TRUST ACTION</b>
The complaint is submitted in writing to the Headteacher/CEO	The Headteacher/CEO acknowledges receipt within 5 school days and provides a full written response within 15 school days. Information will be provided to the complainant on how to proceed to stage 2 if not satisfied



<b>FORMAL PROCEDURE – STAGE 2</b>	<b>SCHOOL /TRUST ACTION</b>
The complaint is submitted in writing to the Company Secretary requesting that the complaint be heard by the Local Governing Body / Trust Complaints panel. This panel will have one member who is independent of the school/Trust.	The Company Secretary convenes a meeting of the Complaints Panel to meet within 25 school days from receipt of the written complaint. The Company Secretary informs the complainant of the findings in writing within 5 school days of the meeting.
<b>The complainant has no further recourse to internal school procedures</b>	<b>The complainant may progress the complaint to the Secretary of State and Local Government Ombudsman if not satisfied</b>

# COMPLAINT FORM

Your Name	
Student Name	
Your relationship to the student	
Your Address	
Home Telephone Number	
Mobile Telephone Number	
<b>Please give details of your complaint:</b>	
<b>What action, if any, have you already taken to try to resolve your complaint? (who did you speak to, when and what was the response?)</b>	
<b>What action do you feel might resolve the problem at this stage?</b>	

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

--	--

**Signature**

--

**Date**

--

**OFFICE USE ONLY**

Date Acknowledgement sent

--

By Who

--

Complaint referred to

--

Date

--