



Complaints Policy

Introduction

1.1 This policy will be used by all academies within the Mowbray Education Trust (MET) for all concerns or complaints from parents/carers or other parties.

1.2 All academies will be clear about the difference between a concern and a complaint. They will take concerns seriously at the earliest stage to reduce the number of complaints.

1.3 A copy of the complaints procedure can be found on each academy's website and a paper copy can be obtained by contacting the academy directly.

1.4 Students, parents, carers, or other adults who have concerns or complaints should feel that these can be voiced and will be considered seriously. All complainants have the right to be accompanied by a friend or in the case of a student, a parent or teacher, when making the complaint in person.

1.5 All employees are expected to be aware of the complaints procedure and adhere to its principles and practice.

Principles

2.1 The trust aims to meet the needs of students, parents/carers and others who have a stake in the academy and believes that dialogue and reflection are important ways in which good relations are maintained and developed.

2.2 The establishment of good relationships is an essential element of a good school and the views of parents and students will be actively sought by the academy in order to minimise concerns or complaints.

Procedure

3.1 The trust has adopted a three-stage process for dealing with complaints:

- Stage 1 Complaint heard by member of staff
- Stage 2 Complaint heard by headteacher and or chair of governors
- Stage 3 Complain heard by complaints panel

3.2 Our complaints procedure will:

Encourage the resolution of problems by informal means whenever possible;

- Be accessible.
- Be simple to understand and use.
- Be impartial.
- Be non-adversarial.

- Allow for swift handling of complaints with established time limits.
- Ensure a full and fair investigation by an independent person where necessary.
- Respect a request for confidentiality (although this can not be guaranteed).
- Address all the points at issue and provide effective response and appropriate redress, where necessary.
- Provide information to the academy's senior leadership (SLT) team to enable services to be improved.

3.3 This procedure will seek to identify areas of agreement between the parties.

Stage one (informal)

4.1 If parents/carers, students or members of the public have concerns they should:

- Discuss their concerns with the member of staff most directly involved and, if not satisfied,
- Discuss their concerns with a member of the SLT.

4.2 At each point in the procedure the academy will attempt to resolve the complaint or concern. If the concern or complaint is valid in whole or part it might be sufficient to acknowledge the situation. In addition, it may be appropriate to offer one or more of the following:

- An apology.
- An explanation.
- An admission that the situation could have been handled differently or better.
- An explanation of the steps that have been taken to ensure that it will not happen again.
- An undertaking to review academy policies and procedures in light of the complaint.

4.3 **An admission that the academy could have handled the situation better is not the same as an admission of negligence.**

Stage two (formal)

5.1 If the complaint cannot be resolved on an informal basis (as set out in the above paragraphs), then the complainant should put their grievance in writing and hand this in to the academy for the attention of the headteacher.

5.2 If the complaint is about the headteacher, the letter should be addressed to the chair of governors of the local governing body (LGB).

5.3 The headteacher or chair of governors will consider a complaint seriously. The complaint will be investigated thoroughly by the headteacher, or a person delegated to undertake the investigation. In the case of a complaint against the headteacher the chair of governors will carry out an investigation supported by the trust's group HR manager.

5.4 The headteacher or chair of governors will use reasonable endeavours to speak to or meet the complainant within 10 working days of the formal complaint being received.

5.5 Once the headteacher or chair of governors is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made which will be communicated to the complainant in writing giving the reasons for the decision. The written decision should be provided

no later than 10 working days after speaking with or meeting with the complainant to discuss the matter.

5.6 If the decision of the headteacher fails to resolve the complaint, the complainant should refer the matter to the chair of governors. **At this juncture the parent or carer must meet with the chair of governors and the headteacher. Only after this meeting has taken place can the complaint progress to stage 3.**

5.7 If in the case of a complaint against the headteacher, the decision of the chair of governors fails to resolve the matter, then the complaint should progress straight to stage three.

5.8 The academy will hold a written record of all formal complaints, including records of meetings and interviews held in relation to the complaint, and the academy's decision. The record will be retained for 1 year after the pupil leaves the academy.

Stage three (formal)

6.1 Only after the complainant has passed through stages 1 and 2 and the concern or grievance cannot be resolved can the complainant request a meeting with the local governing body's (LGB's) complaints appeal panel. This is achieved by writing to the clerk of governors (care of the academy in question).

6.2 This request for a further assessment of the complaint will, for the purposes of this procedure, be considered as an appeal.

6.3 The complainant must lodge their appeal in writing within 10 working days of the date of the academy's decision made in accordance with the Stage 2 procedure. The complainant should provide, in writing a list of the complaints made against the academy and which they believe to have been resolved unsatisfactorily by the Stage 2 procedure, along with the remedies sought in respect of each.

6.4 The complaints panel is only obliged to consider the complaint lodged in this 'initial submission' although they may use their discretion to consider other relevant and related matters that may subsequently arise.

6.5 When an appeal is received by the academy, the academy will, within 5 working days, refer the matter to the clerk to the LGB who will act as clerk for the complaints panel. When the appeal is received by the academy during academy holidays, or within 2 working days of their commencement, the academy has 5 working days upon the start of the new academy term to refer the matter to the clerk.

6.6 The clerk provides an independent source of advice on procedure for all parties.

6.7 On receipt of an appeal, the clerk will then endeavour to convene an independent complaints panel hearing as soon as possible, usually no later than 20 school days after receipt of the notification of a stage 3 referral by the LGB. The Panel date will be dependent upon the availability of the panel members.

6.8 The Independent complaints panel will consist of two governors who have not previously been involved in the complaint, the Chief Executive of the MET, and a representative from an

independent trust. At least one member of the panel should have received training/guidance on how to conduct a hearing.

6.9 The following are entitled to attend a hearing and/or submit written representations and address the Panel:

- The complainant.
- The headteacher of the academy,
- Any other interested person whom the complaints panel considers to have a reasonable and just interest in the appeal and whose contribution would assist the panel in their decision-making.

6.10 Where required, the complaints panel may request any reports, documents, chronology or other useful information in advance of the hearing. Evidence will be sent to and collated by the clerk who will distribute the information to the relevant parties in advance of the hearing.

6.11 After due consideration of the facts considered relevant, the panel will reach a decision, and make recommendations, which it shall complete within 10 working days of the hearing. The decision reached by the complaints panel is final.

6.12 Where there is evidence that the complaint is justified, appropriate action will be taken to prevent a recurrence.

6.13 There is no further right of appeal to the LGB or MET. All complainants have the right, as a last resort, to contact the Education Funding Agency (EFA) if they are not satisfied with the way in which their complaint has been considered. They can contact the EFA via their complaints form on the following link [EFA Complaint Form](#).

Reporting arrangements

7.1 All formal complaints and the action taken will be documented and a summary included in the chair of governor's termly report to the LGB, with suggestions on any implications for policies.

Review of Policy

8.1 This policy will be reviewed, and updated if necessary, every two years.

Adopted by the trust board at a full board meeting on the 25th June 2014.



Chair of Board



Chief Executive