



Bridge Academy Trust

COMPLAINTS POLICY

February 2018

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INTRODUCTION: PARENTS AND SCHOOLS WORKING TOGETHER

We value the involvement of parents and carers in the life of our school

- 1.1. Children of any age are more likely to be happy at school, and to achieve their best, if their parents and carers take an active interest in their education and welfare during the time their son/daughter is in school.
- 1.2. It is natural that parents and carers may, from time to time, be concerned about some aspect of their son/daughter's education or welfare at school.
- 1.3. We therefore welcome enquiries from parents and carers about these and other matters and are confident that, in the vast majority of cases, we can reassure you by explaining our policies and practices and how they affect your son/daughter.
- 1.4. With a commitment from all concerned to resolve any such concerns calmly and rationally, we can work with you to try to achieve the most appropriate solution in your son/daughter's interests.
- 1.5. You are welcome to see a copy of any of our policies. We can also provide you with a copy to take away.

EXPRESSING YOUR CONCERNS

- 2.1. Our policy and that of the Government, is that **parental concerns and complaints should be dealt with locally, that is at school level, wherever possible**. This is because we want to build and maintain good relations with you and to work with you to provide the best possible education for your son/daughter.
- 2.2. Wherever possible, we prefer to resolve any concerns informally, in order to make the best use of valuable time in supporting all the children in our care.
- 2.3. If, therefore, you have any concerns at all about your son/daughter's education or welfare at school, please speak to his/her Standards & Progress Leader or Head of Year (depending on individual schools within the Trust) in the first instance. Contact us via the school office to arrange an appointment to discuss your concerns. We will then explain what action we can take to help to resolve the problem.
- 2.4. From time to time, situations can arise where parents and carers feel that they must state their concern more formally. The procedures set out in this Complaints Policy explain how we handle such cases, and within which time scales. References to "school days" should be taken to mean any day in which the school is open to students during term time, excluding inset days.
- 2.5. This Complaints Policy does not cover complaints about:
 - 2.5.1. Admissions
 - 2.5.2. Exclusions
 - 2.5.3. SEN: Education, Health and Care Plans (EHCs)
 - 2.5.4. Equality

for which there are other policies and procedures in place.

- 2.6. In addition, serious complaints about members of staff may be dealt with under separate disciplinary procedures for employees, which are confidential in nature.

OUR PROCEDURES FOR DEALING WITH GENERAL CONCERNS

- 3.1. The majority of concerns from parents, carers and others are handled under the following general procedures.
- 3.2. The procedure is divided into three stages:
- 3.2.1. **Stage 1** aims to resolve the concern through informal contact at the appropriate level in school (as described on pages 2 and 3 of this policy).
 - 3.2.2. **Stage 2** is the first formal stage at which written complaints are considered by the Headteacher/Head of School or the CEO in cases of complaints against the Headteacher/Head of School.
 - 3.2.3. **Stage 3** involves a Local Governing Body Complaint Panel Hearing as referenced in the Terms of Reference of the Trust.

How each of the stages operates is explained below.

STAGE 1 – YOUR INITIAL CONTACT WITH THE SCHOOL

- 3.3. Many concerns will be dealt with informally when you make them known to us. The first point of contact should be your son/daughter's Standards and Progress Leader or Head of Year.
- 3.4. We will make contact as soon as possible after your concern is made known to us. All members of staff know how to refer, if necessary, to the appropriate person with responsibility for particular issues raised by you. He or she will make a clear note of the details and will check later to make sure that the matter has been followed up.
- 3.5. We will ensure that you are clear what action or monitoring of the situation, if any, has been agreed. We will normally confirm this in writing to you.
- 3.6. We will ensure that we speak directly to all appropriate persons who may be able to assist us with our enquiries into your concern.
- 3.7. We will discuss with you (normally within ten school days) the progress of our enquiries. You will have the opportunity of asking for the matter to be considered further, once we have responded to your concern.
- 3.8. If you are still dissatisfied following this informal approach, your concern will become a formal complaint and we will deal with it at the next stage.

STAGE 2 – FORMAL CONSIDERATION OF YOUR COMPLAINT BY THE HEADTEACHER/HEAD OF SCHOOL OR CEO

- 3.9. This stage in our procedures deals with formal complaints, which must be made in writing. It applies where you are not happy with the informal approach to dealing with your concern, as outlined under Stage 1.

- 3.10. Your written complaint should be addressed to the Headteacher/Head of School. If, however, your complaint concerns the Headteacher/Head of School personally, it should be sent to the school marked "For the attention of the CEO".
- 3.11. We will acknowledge your complaint in writing within three school days, where possible, enclosing a copy of the Complaints Policy with the acknowledgement.
- 3.12. We would expect to respond in full within ten school days, but if this is not possible, we will write to explain the reason for the delay and let you know when we hope to be able to provide a full response.
- 3.13. As part of our consideration of your complaint, we may invite you to a meeting to discuss the complaint and fill in any details required. If you wish, you can ask someone to accompany you to help you explain the reasons for your complaint. A meeting is not always necessary where the investigator is satisfied that they have sufficient information to investigate the complaint at the outset.
- 3.14. If a meeting does take place, the Headteacher/Head of School or Chief Executive Officer (CEO) may also be accompanied by a suitable person if they wish.
- 3.15. The Headteacher/Head of School or CEO will, where necessary, talk to witnesses and take statements from others involved. If the complaint centres on a student, we will talk to the student concerned and, where appropriate, others present at the time of the incident in question.
- 3.16. Where the complaint is about another student, we will normally talk to that student with a parent or carer present, unless this would delay the investigation of a serious or urgent complaint, or where the student has specifically said that he or she would prefer the parent or carer not to be involved. In such circumstances, we will ensure that another member of staff, with whom the student feels comfortable, is present.
- 3.17. Students who are witnesses will normally be spoken to without a parent or carer present, although we will ensure that another member of staff, with whom the student feels comfortable, is present.
- 3.18. The Headteacher/Head of School or CEO will keep a formal signed and dated record of all meetings and telephone conversations, and other related documentation.
- 3.19. Once we have established all the relevant facts, we will send you a written response to your complaint. This will give a full explanation of the decision and the reasons for it. If follow-up action is needed, we will indicate what we are proposing to do. We may invite you to a meeting to discuss the outcome as part of our commitment to building and maintaining good relations, if we feel that this would be beneficial.
- 3.20. If you are not satisfied with the outcome of the investigation and outcome of your complaint, you may wish to proceed to Stage 3.

STAGE 3 - CONSIDERATION BY A COMPLAINTS PANEL HEARING

- 3.21. If you are unsatisfied with the outcome of your complaint after Stage 2, you are entitled to request a Complaint Panel Hearing. Your request should be addressed to the Clerk to the Local Governing Body, who may also be the Clerk to the Trustees.
- 3.22. The purpose of this arrangement is to give your complaint a hearing in front of a panel consisting of three members, none of whom will have been involved in the matters which led to the complaint, have any detailed prior knowledge of the complaint, or have been

involved in dealing with the complaint previously. One member of the panel must be independent of the running and management of the school (i.e. not an employee).

- 3.23. The aim of a Complaint Panel Hearing is to resolve the complaint and to achieve reconciliation between the school and the parent or carer. We recognise, however, that it may sometimes only be possible for the Complaint Panel to establish the facts and make recommendations, which should reassure you that your complaint has been taken seriously and action has been taken to prevent a similar situation occurring in the future.

The Complaints Hearing Panel

The Complaints Panel Hearing will operate in accordance with the following formal procedures;

- 3.24. The Clerk to the Complaint Panel will arrange for the Complaint Panel Hearing to take place normally within twenty school days.
- 3.25. The Clerk to the Complaint Panel will ask you whether you wish to provide any further written documentation in support of your complaint. You can include witness statements, or ask for witnesses to give a statement in person, if you wish.
- 3.26. The school will be represented by the person who dealt with the complaint at Stage 2 and will be asked to prepare a written statement for the Complaint Panel. Other members of staff directly involved in matters raised in your complaint will also be asked to prepare statements, and may be required to attend the Complaint Panel Hearing to give a statement in person.
- 3.27. The Clerk to the Complaint Panel will notify all parties by letter, usually at least five working days in advance, of the date, time and place of the Complaint Panel Hearing. You will also be advised that you can be accompanied by a supporter at the Complaint Panel Hearing, who will attend to offer you moral support but will not participate in the Complaint Panel Hearing unless permission is granted at the discretion of the Chair of the Complaint Panel, in exceptional circumstances. It is not appropriate for you to be legally represented at the Complaint Panel Hearing.
- 3.28. The Clerk to the Complaint Panel will send a copy of all correspondence, statements and records relating to the complaint to all parties involved excluding any witnesses at least two school days prior to the Complaint Panel Hearing.
- 3.29. Should you not be able to attend the hearing on the date confirmed by the Clerk, the Clerk will seek to find an alternative date. If you are still unable to attend the alternative date, the Clerk will inform you that the meeting will take place in your absence. The Clerk will ask you for any supporting evidence that you would like the Complaint Panel to consider at the hearing.
- 3.30. There will be a Clerk at the Complaint Panel Hearing to ensure an accurate record is made during the proceedings.
- 3.31. During the meeting, you can expect:
- to explain your complaint;
 - to be questioned by the investigator;
 - to be questioned by the Complaint Panel;
 - for all witnesses to make statements (if attending);
 - for all witnesses to be questioned by the investigator;
 - for all witnesses to be questioned by the Complaint Panel;
 - to hear the school's response to your complaint from the investigator;

- to question the investigator;
- the investigator to be questioned by the Complaint Panel;
- to make a final statement;
- the investigator to make a final statement.

- 3.32. No additional information or witnesses previously undisclosed should be introduced at the Complaint Panel Hearing by either party. If either party wishes to do so it must be agreed by the Chair of the Panel and the hearing will be adjourned so that the other party has a fair opportunity to consider and respond to new factual information or witnesses.
- 3.33. In closing the Panel will consider its findings of facts and recommendations (if any). All participants other than the Panel and the Clerk must leave at this point.
- 3.34. The Complaint Panel will then consider the complaint and all the information and documentation presented in order to:
- make findings of fact, on a balance of probabilities (that is to say, more likely than not to be true);
 - make recommendations as to action to be taken, if necessary;
- 3.35. The Clerk will notify all relevant parties, in writing of the findings and recommendations within ten school days.

REFERRAL TO THE EDUCATION SKILLS & FUNDING AGENCY

- 3.36. If you remain unsatisfied with the outcome of your complaint following a Complaint Panel Hearing, you can refer your complaint to the Education Skills & Funding Agency (ESFA), to the Department for Education and/or to Ofsted. You should be aware, however, that the ESFA will not usually review the subject matter of your complaint or the decision of the Complaint Panel Hearing. The ESFA will, however, review the school's Complaints Policy to ensure that it complies with the Education (Independent School Standards) (England) Regulations 2010 (as amended) and that the school followed the procedure contained within its Complaints Policy.

VEXATIOUS AND/OR REPEATED COMPLAINTS

- 4.1. There may be times when a parent or carer remains unsatisfied even after a complaint has been through all stages of this Complaints Policy, and persists in making the same complaint to the school. There may also be times when a parent or carer makes repeated formal complaints about trivial matters or complaints which are clearly unreasonable and unjustified from the outset. In these situations, and in exceptional circumstances only, the school will write to the parent or carer informing them that their complaint is regarded to be vexatious and/or repeated and this Complaints Policy will not therefore be followed.

RETENTION OF COMPLAINTS RECORDS

- 5.1. The school will keep a record of all complaints, whether dealt with informally or formally, and retain all correspondence, statements and records relating to individual complaints, which will be kept confidential except where the Secretary of State or a body conducting a school inspection requests access to them.

PUBLICATION OF THIS COMPLAINTS POLICY

- 6.1. This Complaints Policy will be made available to parents, carers and students by being published on each school's website. A paper copy of this Complaints Policy will be made available to any parent, carer or student on request from the school office.