

Manor Hall Academy Trust



Complaints Policy

Responsibility for monitoring and reviewing this information lies with the Headteacher and LAB. A review of this policy and recommendations for change should be presented to the Directors of the trust for verifications.

The Directors of the trust, in line with the Scheme of Delegation and Articles of Association have overall responsibility for the effective operation of MAT policies, but has delegated day to responsibility to the Headteacher and LAB.

Directors will take account of recommendations from individual schools in review of this policy and seek HR advice as to such revisions.

MANOR HALL ACADEMY TRUST

COMPLAINTS POLICY

Purpose

All schools are required by law to have a complaints policy. This policy should help resolve problems and provide a means for issues of concern to be raised and subsequently addressed. All complainants will be treated respectfully during and after the course of any complaints investigation and will receive a written response to their complaint, unless appropriate and reasonable measures have been put in place as a result of the 'Persistent and/or Vexatious Complainants' policy set out below.

Expressing Concerns (Stage 1)

There are inevitably issues that arise that, if dealt with promptly and in a considerate manner, will avoid the need for a formal complaint. Any problem or concern should be raised promptly with the class teacher or member of staff responsible for the area you are concerned about. If your concern is more serious you may prefer to make an appointment to discuss it with the headteacher or a member of the school's leadership team. All staff will make every effort to resolve your problem promptly at this informal stage.

Formal Complaints

Formal procedures will be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further. All details of a complaint will be kept confidential except in so far as they need to be shared with people who might contribute to their resolution. The complaint will be dealt with in line with the school's complaints procedure.

In most cases it will be your choice as to whether to mount a formal complaint, but the School reserves the right to utilise the formal complaint procedures where the School feels that 'informal' methods of resolving concerns have been exhausted but a complainant clearly remains dissatisfied.

It should be noted that some outcomes of a complaint may lead to action being initiated under other formal procedures, such as safeguarding or disciplinary matters. Where this is the case you will be advised and informed of the procedures that are to be followed. It should be noted, however, that the school will not

necessarily be able to provide you with the details of the outcome of those procedures for data protection reasons or otherwise, depending on the circumstances.

If a formal complaint is made to the School, you will be provided with a copy of this complaints policy. It is not a requirement that a formal complaint is made in writing, but the school will need to be clear what the complaint is about, and may therefore request clarification from you before investigating the complaint.

Please be aware that the School reserves the right not to review a complaint made by a complainant that has not been brought to the attention of the school within 8 weeks of the alleged incident occurring. However, the School will consider any complaint outside of that timescale in certain circumstances.

Stage 2 (Head Teacher or Local Advisory Board (LAB))

It may be that the head teacher has not been aware of the concern raised prior to this point. At this stage the headteacher will seek to investigate your concerns, as well as attempting to resolve the matter to the satisfaction of all concerned. This may involve having a discussion/meeting with you.

If the complaint is about the head teacher it will be considered by the Chair of LAB ("the Chair") at this stage. The Chair will seek to resolve the matter through discussion with the head teacher and you. In doing so and, if considered appropriate, the Chair may wish to meet with you in person.

The School will endeavour to respond, in writing to a Stage 2 complaint within 10 working days after receiving the complaint.

Where concerns cannot be resolved by the headteacher (or the Chair if applicable) then you will be advised that details of your continuing concerns will be accepted either in writing or verbally and then referred to the LAB's Complaints Committee (**Stage 3**). The attached form **Appendix 1** may be used for this purpose if you wish, and it would also be useful if you were able to state what actions you feel might resolve the problem.

Stage 3 (LAB and Manor Hall Academy Trust)

If a complaint has been referred to a governing body complaints committee ("the Panel") then the Panel will arrange to meet to consider the complaint. The Panel will endeavour to provide you with a written response within 10 working days after the meeting.

If a complaint reaches this stage, then the Chief Executive Office of Manor Hall Academy Trust must also be informed.

Membership of the Panel will do their best to ensure that there is a cross-section of the different categories of governor to ensure impartiality. The head teacher and chair LAB will not be members of this panel, which will elect its own chair, although one or both may be present at the meeting held to consider the complaint.

You will be given the opportunity to attend the complaints meeting to make representations in person, and you will have the right to bring a friend/family member or other supporter. The Panel will therefore meet at a time and a venue convenient to all parties. If you decide not to attend the complaints meeting, it may be held in your absence.

The Panel may request the services of a Clerk.

LAB Complaints Committee (the Panel) - Procedure

The Panel will want to ensure that the nature of the complaint is understood and, where possible, will seek to establish from you what actions you feel might resolve the problem. In helping to reach a conclusion, the Panel will seek to identify possible sources of information and advice to help collate the necessary evidence.

As indicated above, you will be given the opportunity to attend the complaints meeting and will have the right to bring a friend/family member or other supporter. In normal circumstances the head teacher and/or chair of LAB may also attend the meeting, but will not take any part in the decision-making process. A typical complaints meeting may adopt the following structure:

- The meeting will be as informal as possible.
- Witnesses may be required to attend but only for the part of the meeting in which they give their evidence.

- After introductions, you will be invited to explain your complaint, and you will be followed by your witnesses (if any).
- The head teacher / chair of LAB may ask questions of both you and your witnesses after each has spoken.
- The head teacher / chair of LAB will then be invited to explain the school's actions and will be followed by the school's witnesses.
- You may ask questions of both the head teacher / chair of LAB and the witnesses after each has spoken.
- The Panel may ask questions at any point.
- You will then be invited to sum up your complaint.
- The head teacher / chair of LAB will be invited to sum up the school's actions and response to the complaint.
- The panel chair will explain that both parties will hear from the Panel in writing within a set time scale.
- Both parties leave together while the panel remains to decide on the issues and reach a conclusion.

The above procedures for the complaints meeting may vary with the approval of all parties, for example you may wish to meet the Panel without the head teacher being present. Where this is the case you should be aware that it will still be necessary for the Panel to meet with the headteacher as part of the process.

Outcomes of Investigations

Whether the complaint has been investigated by the head teacher, chair of governors or a complaints committee, a written response will be sent to you outlining the outcome of the investigation, detailing how the conclusion has been reached, and enclose a copy of the minutes. The letter will also tell you where to next take the complaint, if you are not satisfied with the response provided.

The Complaints Committee may reach the following conclusions:

- 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

The aim of the investigation or review will always be to resolve the complaint and achieve reconciliation between you and the school. Nevertheless, it is acknowledged that sometimes you may not be satisfied with the outcome if matters are not found in your favour.

Persistent or Vexatious Complaints

You may remain dissatisfied despite all the procedures having been followed and reasonable responses being provided. It may be the case that it is not possible to resolve all your concerns and meet all your wishes. Sometimes it is preferable to 'agree to disagree' and move on.

If you do continue to make representations to the school on the same issues, the Governing Body reserves the right to inform you, in writing, that the appropriate procedures have all been followed, that all reasonable actions have been taken to try to resolve the issue and that the matter is now closed. Should you then write to the School again on the same issue (s), there is no obligation on the School to respond to you in that case.

Complain to the Department for Education or OfSTED

The Department for Education has a complaints process for all schools, including academies. The routes set out in this Academy Complaints Policy must first be exhausted to resolve any complaint in the first instance. Only then can a complaint be taken further once all the steps in the complaints procedure have been completed and the complaint has not been resolved.

As an academy, any complaint should be directed to the Education Funding Agency - the body that monitors and maintains academies on behalf of the Department for Education. A complaint should be sent to the Education Funding Agency (EFA) if:

- there's a problem with the academy's complaints procedure
- the academy is not following the terms of its funding agreement

Ofsted will also consider complaints against a school when the above complaints policy has been exhausted. When considering a complaint to Ofsted, it is important to understand that Ofsted's role in considering a complaint about an academy is solely to determine if there is a need to inspect. Ofsted cannot seek to resolve or establish cause for any individual [complaint](#).

If you are certain that you have exhausted the academy's full complaints procedures as set out in this policy, then you should fill in an online complaints form: www.ofsted.gov.uk/onlinecomplaints

Appendix 1

Complaints and Compliments

Please complete this form and return it to the school who will then forward it to the Chair of the Governing Body. Please continue on a separate sheet if necessary.

1. Name _____

2. Address _____

3. Telephone Number Home _____ Work _____

4. Name of Child _____

5. Details of the Complaint/Compliment (please include the date or period of time to which your complaint relates and confirm whether you have already expressed your concerns informally, and to whom and when).

6. Do you have a suggestion for change?

Please attach copies of any more information you have to back up your complaint such as letters or report.

.....
.....
Signed: Date:



FORM 2

Dear _____

(Name of Pupil)

Thank you for your letter of *(date)*, making a formal complaint against the school in relation to your son/daughter *(name of pupil)*. I have asked the complaints committee of the LAB to investigate your complaint and a meeting has been arranged for *(date, time and venue)*. You are invited to attend the meeting to present your case in person.

Please let me know if you do not wish to attend the meeting or if the date and time is inconvenient for you. Following the meeting a written report will be sent to you confirming the findings of the committee and, if applicable, the course of action to be taken.

Yours sincerely,

Chair of LAB



FORM 3

Dear _____

Name of Pupil

The complaints committee of the school's LAB considered your complaint at a meeting held on (date) and which you attended / did not attend (delete as appropriate).

I can now inform you that the committee's views on the complaint are as follows: -

I trust that you feel that the meeting gave you the opportunity to express your views and that members of the committee gave full and fair consideration to your complaint.

Yours sincerely,

Chair of LAB