



Complaints Policy

Responsible Governing Body Committee:	Finance & Resources
Policy type: (Statutory/Non Statutory)	Statutory
SMT Link:	Anita Frier
Author:	Arlene McLaughlin
Date policy reviewed/updated	November 2018
Date policy will be reviewed by no later than	November 2020

Review Completed	Amendments Y/N	Reason for Change
Feb 18	Y	Stage 3 added – Review Panel
Feb 18	Y	Contents page added

Contents

TITLE	PAGE NUMBERS
Policy	3 - 9
Investigation Procedure	10 - 11
Forms	
Meeting Request	12
Formal Complaint	13
Complaint Review Request	15
Response to Spurious Complainant	17
Acknowledgement of formal complaint & invitation to meet	18
Acknowledgement of formal complaint referred by third party (eg LA, Ofsted, MP)	19
Acknowledgement of formal complaint advising complainant matter is being dealt with under a confidential school procedure	20
Notification of decision regarding formal complaint	21
Review outcome notification	22
Flowcharts	
Summary of dealing with Complaint Flowchart - Part A	23
Summary of dealing with Complaint Flowchart - Part B	24

COMPLAINTS POLICY AND PROCEDURE

Aim

Inspiring School Partnership Multi Academy Trust aims to meet its statutory obligations when responding to complaints from parents of students at our schools, and others.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The Trust will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will ensure we publicise the existence of this policy and make it available on the ISP MAT website

Legislation and guidance

This document meets the requirements set out in part 7 of the schedule to [the Education \(Independent School Standards\) Regulations 2014](#), which states that we must have and make available a written procedure to deal with complaints from parents of pupils at the school.

It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on [creating a complaints procedure that complies with the above regulations](#), and refers to [good practice guidance on setting up complaints procedures](#) from the Department for Education (DfE).

This policy complies with our funding agreement and articles of association.

The Scope of this Policy

The DfE guidance explains the difference between a concern and a complaint.

A **concern** is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”.

Each school will resolve concerns through day-to-day communication as far as possible.

A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”.

All matters relating to the actions of staff and application of school procedures where they affect the individual student concerned, except matters relating to the curriculum, exclusion, admissions, whistleblowing, and more which are subject to separate procedures.

General Principles:

- This procedure is intended to allow you to raise a concern or complaint relating to the MAT, a school, or the services it provides.
- An anonymous concern or complaint will not be investigated under this procedure unless there are exceptional circumstances.
- To allow for a proper investigation, concerns or complaints should be brought to the attention of the individual school as soon as possible. Any matter raised more than 3 months after the event being complained of will not be considered, except in exceptional circumstances.
- Investigation of any concern, complaint or review request will begin within 5 school days of receipt of the complaint, except in exceptional circumstances. The investigation will be completed as soon as reasonably practicable.
- All complaints received will be investigated and resolved within twenty school days where practicable.

Stages of Complaint

Complaining about the actions of a member of staff other than the Executive Principal or Headteacher:

1) Informal Stage

The complainant is normally expected to arrange to communicate directly with the member of staff concerned. This may be by letter, email, by telephone or in person by appointment. Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most complaints will be resolved by this informal stage. In the case of serious concerns it may be appropriate to address them directly to the Executive Principal/ Headteacher. An unreasonable refusal to attempt an informal resolution may result in the procedure being ended immediately. Any dispute in relation to the “reasonableness” may be determined through the review process.

2) Formal Stage

If your concern or complaint is not resolved at the informal stage, you must put the complaint in writing and pass it to the Executive Principal or Headteacher, who will be responsible for ensuring that it is investigated appropriately. If the complaint is about the Executive Principal, your complaint should be passed to the Clerk to Trustees for the attention of the Chair to Trustees. If your complaint is about the Headteacher, your complaint should be passed to the Clerk to the Local Governing Body (LGB) for the attention of the Chair of the Governing Body.

The Executive Principal or Headteacher will acknowledge receipt of the complaint within 24 hours and will notify the Chair of Governors.

A Complaint Form is provided to assist you - You should include details which might assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents. In addition the Executive Principal/ Headteacher (or Chair) may invite you to a meeting to clarify your concerns and to explore the possibility of an informal resolution. If you accept this invitation, you may be accompanied by a friend, if you wish, to assist you in explaining the nature of your concerns.

It is possible that your complaint will be resolved through a meeting with the Executive Principal/Headteacher (or Chair). If not, arrangements will be made for the matter to be fully investigated, using the appropriate procedure. In any case you should learn in writing, usually within 5 days of the school receiving your formal complaint, of how the school intends to proceed. This notification should include an indication of the anticipated timescale.

It is very important that you include a clear statement of the actions that you would like the school to take to resolve your concern. Without this, it is much more difficult to proceed.

The Executive Principal/Headteacher will collect such other evidence as he/she deems necessary. Where this involves an interview with a member of staff, who is the subject of the complaint, that member of staff may be accompanied by a friend or representative.

The investigation will begin as soon as possible and when it has been concluded, you will be invited to meet with the Executive Principal/Headteacher to discuss the outcomes of the investigation and will be informed in writing of the outcome. This may be to the effect that:

- The concern is not substantiated by the evidence
- The concern was substantiated in part or in full. The school will review its practices/procedures..... with the intention of avoiding any recurrence. Parents/carers will be informed in due course of any policy changes. Details of the investigation or of any disciplinary procedures will not be released
- In order to address fully the matters investigated, the school has initiated appropriate internal procedures. Due to the nature of these procedures, their outcome must remain strictly confidential. We are confident, however, that the circumstances that gave rise to your complaint should not recur.

You will be informed that consideration of your complaint by the Executive Principal/Headteacher is now concluded and you will be informed within 5 working days. If you are not satisfied with the response you may wish to proceed to a Review Panel. You should put your request in writing to the Clerk to Governor or Clerk to Trustees for the Executive Principal) within 10 working day. This letter should set out details of the complaint including evidence set out above. You should specify what you feel would resolve the complaint and how you feel the previous stages of the procedure has not addressed your complaint sufficiently.

If the complainant considers that the decision of the Executive Principal/Headteacher is perverse, or that the Executive Principal/Headteacher has acted unreasonably in considering the complaint, then the complainant may bring a complaint against the Executive Principal/Headteacher under part B of this procedure. This will provide an opportunity for the evidence to support such a complaint to be investigated.

3) Review Panel

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at the second, formal, stage.

The appointed panel must consist of at least 3 people who were not directly involved in the matters detailed in the complaint. At least 1 panel member must be independent of the management and running of the school. The panel cannot be made up solely of governing/trustee board members, as they are not independent of the management and running of the MAT or individual school.

The panel will have access to the existing record of the complaint's progress. The complainant must have reasonable notice of the date of the review panel; however, the review panel reserves the right to convene at their convenience rather than that of the complainant. At the review panel meeting, the complainant and representatives from the school/MAT, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied if they wish.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.

The panel, the complainant and the school/MAT representative(s) will be given the chance to ask and reply to questions. Once the complainant and school/MAT representative(s) have presented their cases, they will be asked to leave and evidence will then be considered.

The panel must then put together its findings and recommendations from the case. The panel will also provide a copy of the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the proprietor and the Executive Principal/Headteacher.

The school will inform those involved of the decision in writing within 5 days.

Part B

Complaining about the actions of the Executive Principal/Headteacher

1) Informal stage

You will usually be expected to arrange to speak directly with the Executive Principal/Headteacher. In the case of serious concerns it may be appropriate to raise them directly with the Chair of the Trustees for the Executive Principal or for Headteachers, the Governing Body. Many concerns can be resolved by simple clarification or the provision of information. If the matter is not resolved, if both parties agree, then a third party may be invited to act as a mediator at a further meeting. A refusal, unreasonably, to attempt an informal resolution may result in the procedure being ended immediately.

2) Formal Stage

If the complaint is not resolved at the informal stage you must put the complaint in writing and pass it to the Chair of the Governing Body for the Headteacher or the Chair of Trustees for the Executive Principal who will determine which of the agreed procedures to invoke. If it is determined that the complaint is "General", the Chair will arrange for its investigation. You should include details which might assist the investigation, such as names of potential witnesses, dates and times of events, copies of relevant documents etc. In addition you will be invited to meet with the Chair to present oral evidence or to clarify the complaint.

The Chair will collect such other evidence as is deemed necessary. This may include the interviewing of witnesses and others who may provide relevant information.

The Executive Principal/Headteacher will be provided with a copy of the complaint and any additional evidence presented by you or collected by the Chair. Once there has been an opportunity for the Executive Principal/Headteacher to consider this, he/she will be invited to meet separately with the Chair, in order to present written and oral evidence in response. The Executive Principal/Headteacher may be accompanied at this meeting by a friend or representative.

When the investigation has been concluded, both you and the Executive Principal/Headteacher will be informed in writing of the outcome. Please note that you will not be informed of any disciplinary/capability action. You will be notified that consideration of their complaint by the Chair is now concluded.

If you are not satisfied with the manner in which the process has been followed, or consider that the decision of the Chair is perverse, or that the Chair has acted unreasonably in considering the complaint, then you may request that the Board of Trustees/Governing Body review the handling of the complaint by the Chair. Any such request must be made in writing within 10 school days of receiving notice of the outcome from the Chair, and include a statement specifying any perceived failures.

3) Review Panel

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at the second, formal, stage.

The appointed panel must consist of at least 3 people who were not directly involved in the matters detailed in the complaint. At least 1 panel member must be independent of the management and running of the school. The panel cannot be made up solely of governing/trustee board members, as they are not independent of the management and running of the MAT or individual school.

The panel will have access to the existing record of the complaint's progress. The complainant must have reasonable notice of the date of the review panel; however, the review panel reserves the right to convene at their convenience rather than that of the complainant. At the review panel meeting, the complainant and representatives from the school/MAT, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied if they wish.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.

The panel, the complainant and the school/MAT representative(s) will be given the chance to ask and reply to questions. Once the complainant and school/MAT representative(s) have presented their cases, they will be asked to leave and evidence will then be considered.

The panel must then put together its findings and recommendations from the case. The panel will also provide a copy of the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the proprietor and the executive Principal/Headteacher.

The school will inform those involved of the decision in writing within 5 days.

Referring complaints on completion of the school's procedure

If the complainant is unsatisfied with the outcome of the MAT's complaints procedure, they can refer their complaint to the ESFA. The ESFA will check whether the complaint has been dealt with properly by the MAT. The ESFA will not overturn a school's decision about a complaint. However, it will look into:

- Whether there was undue delay, or the MAT/school did not comply with its own complaints procedure
- Whether the MAT/school was in breach of its funding agreement with the secretary of state
- Whether the MAT/school has failed to comply with any other legal obligation

If the MAT/school did not deal with the complaint properly, it will be asked to re-investigate the complaint. If the MAT/school's complaints procedure is found to not meet regulations, the MAT/school will be asked to correct its procedure accordingly.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

Notes

You are not entitled to access to any details of the investigation except for any statements that may have been provided by your child. Any information relating to the application of disciplinary procedures is strictly confidential.

If a complainant believes that the Governing Body has acted illegally or arbitrarily in handling the complaint, then the complainant may make representations to the Chair of Trustees, Inspiring Schools Partnership, Multi Academy Trust

Superscripts

Staff means any member of staff or other designated post-holder/middle manager, such as a Key-stage Leader, Curriculum Manager, Learning Manager or Unit Lead

Executive Principal/Headteacher means the Executive Principal/HeadTeacher or other designated member of staff on behalf of the Executive Principal/HeadTeacher. In such case the Executive Principal/HeadTeacher must be satisfied that the process has been conducted properly and accept responsibility for this.

If the complaint is judged to be vexatious, then the complainant will be informed that their complaint will not be accepted and will not be investigated.

Chair means chair of Trustees or Chair of Governors or designated governor responsible for investigating complaints.

Investigation Procedure

Carrying out an Investigation into a Formal Complaint

The investigation of an allegation or a complaint should always be carried out thoroughly and responsibly, irrespective of whether the complaint appears to be trivial or serious. The outcome of such an investigation will have significance not only for the complainant but also for the member of staff against whom the complaint has been made.

Any procedure should include provision that “An anonymous complaint will not be investigated under this procedure unless there are exceptional circumstances.” These would include serious concerns such as child protection issues or bullying allegations, where the MAT/school would either involve appropriate external agencies or else conduct its own internal review to test whether there is any corroborative evidence which might trigger a formal investigation.

Where the Executive Principal/Headteacher or Chair of Governors or Trustees receives a complaint, it should be acknowledged formally and a commitment made that the complaint will be investigated and the outcome of the investigation notified to the complainant in due course.

The member of staff against whom the complaint has been made, should be notified that a complaint has been received, provided with a copy of the complaint and be informed that an investigation will be carried out.

It is essential that there is a clear understanding of the complaint. Where necessary the nature of the complaint should be confirmed with the complainant. There should be a statement from the complainant outlining what actions they would like the school to take to resolve the concern.

Once the complaint has been confirmed the investigator should establish who they wish to interview and what documentation they will need to review.

Arrangements should be agreed so that accurate notes can be taken of all interviews and the outcome of the investigation be accurately recorded.

The complainant and the member of staff should be given the opportunity to offer documentation and to identify potential witnesses or sources of evidence.

The member of staff subject to the complaint should be advised that they may be accompanied by a friend or trade union representative when invited to be interviewed. Where children are potential witnesses, discretion should be exercised over their involvement. Students should only be interviewed when the nature of the complaint is sufficiently serious to warrant it and adult witnesses are not available. Permission will be sought from parents/carers before interviewing students. Parents/carers will be invited to be present at the interview. Only in extreme circumstances will younger students be interviewed.

Any interviews should be conducted as soon as possible to ensure that recollections are as fresh as possible and to minimise the possibility that evidence will become compromised through witnesses discussing alleged incidents with other persons.

In conducting interviews, the investigator should prepare the questions to be asked prior to the interview. These can always be supplemented during the interviews. The investigator should allow the interviewee to answer in their own way. Their responses should be listened to attentively. Any temptation to cut an interviewee short or to seek to "lead" them must be avoided. The interviewee should be given the opportunity of providing other relevant information at the end of the interview.

Interviewees should, however, be advised that their responses must be confined to the substance of the complaint. Any attempt by the interviewee to introduce information relating to other members of staff or to issues unrelated to the complaint should be resisted.

The investigator should avoid reaching conclusions judgement until all the facts are known and the investigation has been completed.

If the complaint is being investigated under the formal process, the investigating officer will prepare a report for the Executive Principal/Headteacher or the Chair.

A summary of the process undertaken and the outcome of the investigation should be provided to both the complainant and the member of staff against whom the complaint has been made. Caution must be exercised in reporting back to the complainant as revealing certain details may prejudice the ability of the employee to continue in post.

Any recommendations should also be shared with all parties, unless there is good reason not to. Wherever possible, recommendations should be constructive and not punitive.

The complainant should be advised that he/she may, if they are not satisfied that the appropriate procedure has been followed, request a review of that process by the Governing Body or Board of Trustees.

All documentation relating to the complaint and its investigation and outcomes should be stored securely for a period of six years. Where the complaint is on behalf of a child, then the school may wish to retain the documentation until 6 years after the child has attained the age of 18. Documents are held and stored in accordance with the MAT's GDPR policy.

INSPIRING SCHOOLS PARTNERSHIP

Meeting Request Form

I wish to meet *[name of teacher/support staff]* to discuss the following matter:

Brief details of topic to be discussed:

Dates/times when it would be most convenient for a meeting:

Your name:

Relationship with school (e.g. parent of a student on the school roll):

Student's name (if relevant to the matter to be discussed)

Your Address:

Telephone numbers

Daytime:

Evening:

e-mail address:

Signed

Date

[Please complete this form and return it to info@isp.net or the Executive Principal's PA]

School use:

Date Form received:

Date response sent:

Received by:

Response sent by:

INSPIRING SCHOOLS PARTNERSHIP

Formal Complaint Form

Please complete this form and return it to the Executive Principal/Headteacher who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:

Relationship with school (e.g. parent of a student on the school roll):

.....

Student's name (if relevant to your complaint):

.....

Your Address:

Telephone numbers

Daytime:

Evening:

E-mail address:

Please give concise details of your complaint, (including dates, names of witnesses etc...), to allow the matter to be fully investigated:

You may continue on separate paper, or attach additional documents, if you wish.

Number of Additional pages attached =

What action, if any, have you already taken to try to resolve your complaint? (i.e. who have you spoken with or written to and what was the outcome?)

What actions do you feel might resolve the problem at this stage?

Signature:

Date:

School use:

Date Form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Complaint referred to:			
Date:			

INSPIRING SCHOOLS PARTNERSHIP

Complaint Review Request Form

Please complete this form and return it to the Executive Principal/Headteacher (or Clerk to the Local Governing Body or Board of Trustees), who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:

Your Address:

Telephone numbers:

Daytime:

Evening:

E-mail address:

Dear Sir

I submitted a formal complaint to the school on and am dissatisfied by the procedure that has been followed.

My complaint was submitted to and I received a response from on

I have attached copies of my formal complaint and of the response(s) from the school.

I am dissatisfied with the way in which the procedure was carried out, because:

You may continue on separate paper, or attach additional documents, if you wish.

Number of Additional pages attached =

What actions do you feel might resolve the problem at this stage?

Date:

School use

Date Form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Request referred to:			
Date:			

Response to spurious complainant

Dear [Name of complainant]

Thank you for submitting your concern in the letter received on the [insert date]. After careful consideration, unfortunately, I am unable to deal with this matter under the Inspiring Schools Partnership Multi Academy Trust;s Complaints Procedure. This is because:

[we suggest that you include one of the following statements]

- o The substance of your complaint has been addressed under the complaints procedure already.

- o The concerns that you raise do not fall within the scope of this procedure *[suggest alternative for example: admissions policy, exclusion policy, behaviour policy, grievance procedure etc]*

If you wish my decision to be reviewed then you can follow the school's Formal Complaint Procedure, by writing to the Clerk to the Trustees/ Local Governing Body.

Yours sincerely,

Executive Principal/Headteacher

Or Chair of Governing Body/Chair of Trustees

Acknowledgement of receipt of formal complaint and invitation to meet

Dear [Name of Complainant]

I have received your formal complaint, dated I am grateful that you have brought this to my attention.

The Trust take any complaint seriously. Therefore, I would like to meet with you, as soon as possible, so that I may understand the details of your concerns more clearly. You are welcome to be accompanied to the meeting by a friend, if you would find this helpful. *Please telephone..... in order to arrange an appointment. **OR** I can offer you an appointment at on ,..... Please let me know if this is convenient.*

I hope that we will be able to resolve your concerns through our meeting, but if not I will ensure that the appropriate investigation takes place.

Yours sincerely,

Executive Principal/Headteacher

Or Chair of Governing Body/Chair of Trustees

Acknowledgement of receipt of formal complaint referred by a third party [e.g. LA, Ofsted, MP]

Dear [Name of Complainant]

I have received a copy of the documentation that you sent in to setting out a complaint about This has been passed to the school as it has responsibility for these matters.

The Trust take any complaint seriously. Therefore I would like to meet with you, so that I may understand the details of your concerns more clearly. Please telephone, in order to arrange an appointment. **OR** I can offer you an appointment at on Please let me know if this is convenient.

Meanwhile I would be grateful if you would complete and return the Formal Complaint Form that is enclosed, along with details of the school's complaints procedure.

I hope that we will be able to resolve your concerns through our meeting, but if not I will ensure that the appropriate investigation takes place.

Yours sincerely,

Executive Principal/Headteacher

Or Chair of Governing Body/Chair of Trustees

Acknowledgements of receipt of formal complaint and advising complainant that the matter is being dealt with under a confidential school procedure

Dear

I have received your formal complaint, dated I am grateful that you have brought this to my attention.

The Trust take any complaint seriously. Therefore I have initiated an immediate investigation. It is possible that the investigator will wish to meet with you to clarify the evidence that you have provided so far. If so, he/she will write to you to make suitable arrangements.

As your concerns relate to the conduct/capability of a member of staff, the investigation will be carried out under the Trust's personnel procedures. This means that the detail of the procedure and its outcome **must** remain confidential to the Trust and the member of staff concerned.

OR

As your concerns relate to the behaviour of a student, the investigation will be carried out under the school's Behaviour for Learning Policy. This means that the detail of the procedure and its outcome must remain confidential to the school and the parents of the child concerned.

In due course, I may be able to provide you with some information about the outcomes of the investigation and the processes that have been followed, but in any event will let you know when the matter has been concluded.

If I can be of any further assistance, please do let me know.

Yours sincerely,

Executive Principal/Headteacher

Or Chair of Governing Body/Chair of Trustees

NOTIFICATION OF DECISION REGARDING FORMAL COMPLAINT

Dear

Following receipt of your complaint and careful consideration of all the available relevant evidence, I/the panel have/has concluded that:

The concern is not substantiated by the evidence in that

OR

The concern was substantiated in part/in full, as The Trust will review its practices/procedures..... with the intention of avoiding any recurrence. Parents will be informed in due course of any policy changes.

OR

In order to address fully the matters investigated, the Trust has initiated appropriate internal procedures. Due to the nature of these procedures, their outcome must remain strictly confidential. We are confident, however, that the circumstances that gave rise to your complaint should not recur

OR

In order to address fully the matters of concern that you identified, the panel recommended that the governing body should review its policy, as a matter of urgency. We are confident that this should prevent similar concerns arising in future.

I hope that this will now conclude the matter and we can look to the future working together for the benefit of all concerned.

Yours sincerely,

Executive Principal/Headteacher/Chair of Panel/Chair of Governing Body/Chair of Trustees

REVIEW OUTCOME NOTIFICATION

Dear

Having carefully considered your representations in the context of the relevant evidence, the Complaints Review Panel has concluded that the Trust followed the relevant procedure appropriately in respect of your complaint.

Summary of reasons

Therefore, we now consider the matter closed.

Or

Having carefully considered your representations in the context of the relevant evidence, the Complaints Review Panel has concluded that the Trust followed the relevant procedure appropriately in respect of your complaint except

Therefore, the following action will be taken

Once this action has been completed the Trust will consider the matter to be closed.

Or

Having carefully considered your representations in the context of the relevant evidence, the Complaints Review Panel has concluded that the Trust followed the relevant procedure appropriately in respect of your complaint except

However the panel determined that this procedural failure did not affect the outcome of the consideration of your complaint so, while we regret this error, we will now consider this matter to be closed as far as the school is concerned.

Yours sincerely,

Chair of Complaints Review Panel

c.c. Executive Principal/Headteacher

Chair of Governing Body/Chair of Trustees