



We believe, you achieve

Compliments and Complaints Policy

November 2018

To be reviewed in November 2021



Availability of the Compliments and Complaints Policy

It is expected that this policy will be used as a guide across each Academy within Shaw Education Trust (SET) for all compliments and complaints from parents/guardians or other parties.

A copy of the individual Academy compliments and complaints procedure must be made available from the Academy's Reception and on the school website.

This policy will be published on the SET website.

Compliments

It is always good to receive positive feedback. This will always be shared with staff and students in a timely way via briefings and briefing notes; email; in person where appropriate; in assemblies; in celebration assemblies and via student representative groups.

Cards, emails and letters will be placed in prominent positions around school. If parents/carers agree, their compliments can be put onto our website. Compliments can be given in any format the parent /carer or other person chooses:

- Email
- Letter or card
- Telephone
- Verbally to any member of staff
- Via the SET Website: www.shaw-educationtrust.org.uk

Complaints

We believe that our trust aims to provide an excellent education for all our children, and that the staff work very hard to build positive relationships with all parents. However, the trust is obliged to have procedures in place in case there are complaints by parents or other parties.

If any parent/guardian is unhappy with the education that their child is receiving, or has any concern relating to the trust, we encourage that person to talk to the child's class teacher immediately.

We deal with all complaints in compliance with guidance and regulations set out by the Department for Education, The Education and Skills Funding Agency (ESFA) and Part 7 of the Education (Independent School Standards) Regulations 2014).

We have adopted a three-stage process for dealing with complaints:

- Stage 1 – Complaint heard by member of staff
- Stage 2 – Complaint heard by Headteacher
- Stage 3 – Complaint heard by Complaint Panel

Aims and Objectives

Our trust aims to be fair, open and honest when dealing with any complaint. When considering a complaint, we endeavour to deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding and, in all cases, we put the interests of the child above all other issues. We provide sufficient opportunity for any complaint to be fully discussed, and then resolved.

Complaints Procedure

Our Complaints Procedure will:

- Encourage resolution of problems by informal means wherever possible;
- Be easily accessible and publicised;
- Be simple to understand and use;
- Be impartial;
- Be non-adversarial;
- Allow swift handling with established time limits for action and keeping people informed of the progress;
- Ensure a full and fair investigation by an independent person where necessary;
- Respect people's desire for confidentiality;
- Address all the points at issue and provide effective response and appropriate redress, where necessary;
- Provide information to the Academy's senior management team to enable services to be improved.

The Academy will be clear about the difference between a concern and a complaint. We will take concerns seriously at the earliest stage to reduce the numbers that develop into complaints.

Stage 1 – Informal Resolution

We expect most concerns to be dealt with informally and parents/guardians are encouraged to speak to a member of staff to discuss their concerns. The formal procedures set out below should 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.

If a parent/guardian is concerned about anything to do with the education that we are providing within our trust, they should, in the first instance, discuss the matter with their child's class teacher. All teachers work very hard to ensure that each child is happy at school and are making good progress; a teacher will always want to know if there is a problem, so that they can take action before the problem seriously affects the child's progress.

Our Academies operate an open door policy and as such, parents/guardians may wish to book in some time to talk to the Headteacher (or a person delegated to undertake this meeting) if this would be beneficial in resolving your concern informally.

Should the complaint be about the Headteacher, the Chair of Academy Council will do all they can to resolve the issue informally through a dialogue with the persons concerned.

Stage 2 – Formal Resolution

If the complaint cannot be resolved on an informal basis (as set out above), then parents/guardians must put their complaint in writing (using Appendix 1 attached if required) and hand this in to the Academy for the attention of the Headteacher.

The Headteacher will consider any such complaint seriously. The complaint will be investigated thoroughly (by the Headteacher or a person delegated to undertake the investigation).

The Headteacher will decide, after considering the complaint, the appropriate course of action to take.

In most cases, the Headteacher will meet or speak with the parents/guardians concerned to discuss the matter. If possible, a resolution will be reached at this stage.

The Headteacher (or a person delegated to undertake this work) will use reasonable endeavours to speak to or meet parents/guardians within 10 working days of the formal complaint being received.

Once the Headteacher is satisfied that, so far as practicable, all of the relevant facts have been established, a decision will be made which will be communicated to parents/guardians 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 parents/guardians to discuss the matter.

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 one year after the pupil leaves the Academy.

Should the complaint be about the Headteacher, it will then be considered by the Chair of Academy Council who will follow the above steps.

Only if Stage 2 proceedings fail to resolve the matter should a complaint progress to Stage 3.

Stage 3 – Complaint Panel

If parents/guardians (or other person(s)) seek to invoke Stage 3, following failure to reach an earlier resolution with the Headteacher or Chair of Academy Council's decision, in respect of their formal complaint, they may request their complaint is considered by a Complaints Panel. Such a request must be made in writing addressed to the Chair of the Academy Council, care of the Academy. The Chair of the Academy Council will not be involved in the panel if he/she heard the original complaint at stage 2.

The request for further assessment of the complaint will, for the purposes of this procedure, be known as an 'appeal'.

Parents/guardians 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 parents/guardians should provide in writing the complaint(s) made against the Academy and how they believe the complaint has been unsatisfactorily resolved, along with the remedies sought in respect of each.

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.

Where an appeal is received by the Academy, the Academy will, within 5 working days, refer the matter to the Clerk to the Academy Council who will likely act as Clerk for the Complaints Panel. Where 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 commencement of the school term to refer the matter to the Clerk.

The Clerk will provide an independent source of advice on procedure for all parties.

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 from the parents/guardian that they wish to invoke Stage 3. The Panel date will be dependent upon the availability of the Panel members.

The Independent Complaints Panel will consist of at least three people who were not directly involved in the complaint and one member of the panel must be independent of the management and running of the school. One of the Complaint Panel members will be independent of the management and running of the Academy. This means that the independent Complaint Panel member will not be a Director of the Trust, a Local Governor of the Academy, or an employee of either the Trust or the Academy.

For the avoidance of doubt, a Local Academy Councillor of another Shaw Education Trust Academy within the group may be the independent Complaint Panel member, as long as they are not an employee of that academy or the Trust, and they are sufficiently removed from the management and running of the Academy to be considered truly independent.

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

- The parent(s)/guardian(s) who may be accompanied should they wish this to be the case;
- The Headteacher of the Academy
- Any other interested person whom the Complaints Panel considers having a reasonable and just interest in the appeal and whose contribution would assist the Panel in their decision-making.

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.

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. Any

decision reached that may have financial implications for the Academy will need the appropriate approval from the Shaw Education Trust, although any such approval must be compatible with the decision of the Complaints Panel.

Where relevant a copy of the panel's findings and recommendations will be provided to the person(s) complained about.

The records related to the complaint, including letters, will be made available for inspection by the headteacher and Trustees, including those acting on behalf of the Shaw Education Trust Board of Trustees.

A written record will be kept of all formal complaints and any actions taken regardless of whether they are upheld or resolved following a formal procedure or proceeded to a panel hearing.

Complaint records are kept confidential except where the Secretary of State or a body conducting an inspection request access to them.

The Role of Shaw Education Trust

You do **not** have a right of appeal to Shaw Education Trust should you disagree with a decision of the Academy Council. You may, however, raise the matter with Shaw Education Trust if you consider the complaint wasn't investigated properly or fairly. So long as the Academy Council followed a proper procedure and considered the complaint in a reasonable manner, then the Shaw Education Trust will simply inform you of that fact. If you wish to raise the matter with Shaw Education Trust please write to:

Chief Operating Officer
Shaw Education Trust
The Lodge
Wolstanton High School
Milehouse Lane
Wolstanton
Newcastle-under-Lyme
Staffordshire
ST5 9JU

In your letter please explain:

- what your complaint to the Academy Council was;
- what response they have made to it;
- why you think that the Academy Council has not followed a proper procedure in considering your complaint, and/or
- why you think that their consideration of it was unreasonable.

You will receive a written response within 10 working days to inform you of any further enquiries made into your complaint.

All complainants have the right, as a last resort, to contact the Department for Education (DfE) if they are not satisfied with the way in which their complaint has been considered. You can contact the DfE via:

Ministerial and Public Communications Division
Department for Education
Piccadilly Gate
Manchester
M1 2WD

Where the complaint is about a trust central services member of staff, we will follow the same 3 tier complaint structure replacing the following people

- Stage 1 – Complaint heard by member of staff line manager
- Stage 2 – Complaint heard by senior manager e.g. Chief Operating Officer
- Stage 3 – Complaint heard by Complaint Panel

Monitoring, Evaluation and review

The Shaw Education Trust Board will review this policy at least every three years and assess its implementation and effectiveness. The policy will be promoted and implemented throughout each Academy in the Trust.

The Academy Council monitor the complaints procedure, in order to ensure that all complaints are handled properly.

The Academy Council will take into account any local or national decisions that affect the complaints process and make any modifications necessary to this policy. This policy is made available to all parents, so that they can be properly informed about the complaints process.

Appendix 1

Stage 2 – Formal Complaint Form

Your name:	
Your child's name:	
Your child's class:	
Your address including postcode:	
Which school is your complaint regarding?	

Daytime telephone number:	
Evening telephone number:	
Email address:	

1. Please provide full details of your complaint, including relevant dates and persons concerned where possible in the box below. Continue on a separate sheet if necessary.
2. What action, if any, have you already taken to try and resolve your complaint? (who did you speak to and what was their response?). Continue on a separate sheet if necessary.
3. How do you feel the problem could be resolved at this stage? Continue on a separate sheet if necessary.
4. Are you attaching any paperwork? If so, please provide details. Continue on a separate sheet if necessary

Signed:	
Date:	

Thank you for completing the form and providing us with details of your complaint.

Please send in your completed form to the Headteacher, care of the school reception or via email.

All paperwork will be held on file securely by the school.



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The Lodge
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Twitter: @shawedutrust
Tel: 01782 742910
Email: info@shaw-education.org.uk
Online: www.shaw-education.org.uk

