

COMPLAINTS PROCEDURE

POLICY NUMBER & CATEGORY	QSC/9	Quality & Standards
VERSION NO & DATE	7	June 2018
RATIFYING COMMITTEE	Trustee Board Meeting	
DATE RATIFIED	18 th July 2018	
RATIFIED BY (TRUSTEE SIGNATURES)		
ANTICIPATED REVIEW DATE:	June 2021	
POLICY LEAD	Ted Picton	
POLICY AUTHOR (if different from above)		

POLICY CONTEXT

- Focus School Swaffham Campus (hereafter 'the Campus') is dedicated to providing the best possible education and support for all its students. This means having a clear, fair, and efficient procedure for dealing with any complaints to or against the school, so that any issues that arise can be dealt with as swiftly and effectively as possible.
- This document explains the complaints procedure, and the steps that it outlines should be referred to and followed by all students and their parents whenever an issue arises that causes them concern.

POLICY REQUIREMENT (see Section 2)

- All school staff will be made aware of complaints procedures and expected to review this document regularly in order that they are familiar with our process of dealing with complaints and can be of the most assistance when an issue is brought to their attention.

CONTENTS

1	INTRODUCTION.....	3
	1.1 Rationale.....	3
	1.2 Scope.....	3
	1.3 Principles.....	3
2	PROCEDURE.....	3
3	RESPONSIBILITIES.....	6
4	REFERENCE DOCUMENTS.....	7
5	AUDIT AND ASSURANCE.....	8
6	APPENDICES.....	8

1 INTRODUCTION

1.1 Rationale

1.1.1 The Campus is committed to maintaining positive relationships with parents and carers and it is important to us that our schools establish and maintain strong home/school partnerships to ensure the best education for the students.

1.1.2 However, we recognise that sometimes parents/carers may need to raise issues with us and so we want to ensure that we try to resolve any issues as quickly and sympathetically as possible. We also want to reassure parents and carers that we do take any concerns or complaints very seriously.

1.2 Scope

1.2.1 This Policy applies to all Trustees, Staff, Students, Parents and Guardians both current and prospective Students.

1.2.2 This document does not apply to complaints about:

- Student admissions
- Student exclusions
- EHC Plans
- Appeals relating to internal assessment decisions for external qualifications
- Disciplinary issues relating to members of staff

1.3 Principles

1.3.1 The Campus is committed to maintaining the highest standards of child safeguarding in accordance with all relevant legislation and guidance. As a campus we recognise that protecting children is a golden thread to all we do and that safeguarding is at the heart of the school. Those using this policy must recognise their responsibility and the wider implications of safeguarding in the promotion, prevention and protection of children within the context of this document

1.3.2 If there is an allegation or concern about physical or sexual misconduct towards a child, or there is a belief that a child may be at risk of serious harm, we may immediately refer the case to child protection and welfare services. If it is decided that there is cause for an official investigation, the decisions by these authorities will supersede those made by us and outlined in this document. Where the complaint relates to a safeguarding referral made by a member of staff at the school, any consideration of that complaint by us will be limited to a review of the reasonableness of the decision to make the referral in light of the evidence available to the member of staff at that time and in light of the our Safeguarding & Child Protection Policy.

1.3.3 For more information on our school's provision for protecting our students, read our Safeguarding & Child Protection Policy.

1.3.4 Anonymous complaints will not be examined under this document.

2 PROCEDURE

2.1 When an issue or concern first arises

2.1.1 If you have a concern that you would like to take up with the school you should initially inform a member of staff either in person, over the telephone or in writing. You may then be invited to an informal meeting with the member of staff most appropriate for dealing with your concern.

- 2.1.2** You may wish to approach your child's form tutor first as they will be best placed to help you either directly or by figuring out which other member of staff you should be speaking to.
- 2.1.3** We encourage parents to approach staff with any concerns they may have, and aim to resolve all issues with open dialogue and mutual understanding.
- 2.1.4** A written explanation of your concern will need to be given to the staff member that you speak to, so that it is easy to see – when complaints are taken further or referred back to in the future – what the initial problem was.
- 2.1.5** If your complaint is about a member of staff, you should first raise this with the Headteacher either in person or in writing, and a meeting can be arranged with the Headteacher to discuss the issue at hand.
- 2.1.6** If your complaint is about the Headteacher, you should raise your concern in writing with the Lead CA.
- 2.1.7** If your complaint is about one of the CA Team, you should raise your concern in writing with the Chair of Trustees.
- 2.1.8** Any trustee will refer complaints that are taken straight to them back to the appropriate member of staff unless one of the above exceptions applies.
- The Acting Co-Headteacher is: Mark Clayton (or Janet Marsh in the case of employee complaints)
Email: mark.clayton@focus-school.com janet.marsh@focus-school.com
 - The Lead CA is: Kevin Dunham
Email: kevin.dunham@focus-school.com
 - The Chair of Trustees is: Brendon Dunham
Email: brendon.dunham@focus-school.com

2.2 Initial informal meeting

- 2.2.1** Once a concern has been raised you may be invited to attend an informal meeting with a member of staff or the Headteacher/Lead CA to discuss your concerns.
- 2.2.2** You are welcome to bring a friend, partner or, in the case of a student who has raised a concern, a parent to this meeting. It may be appropriate for a student to attend the meeting if their parent has raised a concern, depending on the nature of the issue.
- 2.2.3** Staff have a responsibility to ensure that you understand any future points of action that have been agreed upon in this meeting and should make a record of what has been discussed, as well as any outcomes and a plan of action, if one has been agreed.
- 2.2.4** All staff will do their best to ensure that your concerns are dealt with appropriately and efficiently but if you cannot come to an agreement, or are dissatisfied with the outcome of your meeting, you can make a formal complaint in writing to the Headteacher.
- 2.2.5** There is no suggested time-scale for resolution at this stage given the importance of dialogue through informal discussion although it would be expected that most issues would be resolved within 10 school days.

2.3 Timescales

- 2.3.1** If it becomes necessary to alter the time limits and deadlines set out within this procedure, you will be advised accordingly, given an explanation and provided with revised timescales.

Formal complaints

In order to ensure that complaints are processed efficiently and effectively, we deal with formal complaints in three stages:

2.4 Stage 1

- 2.4.1** If you do not feel that your concern has been dealt with as you would like, are unhappy with the outcome of your informal meeting or feel that the issue is serious enough that it warrants it, you can make a formal complaint in writing to the Headteacher. If your complaint is about the Headteacher you should go straight to Stage 2 of this procedure.
- 2.4.2** The Headteacher should acknowledge your complaint in writing within 10 school days. They may already be aware of the situation. They will outline their decision if there is one to be made, and any action to be taken as a result of your complaint.
- 2.4.3** The Headteacher may call you in for a meeting to discuss the issue, possible solutions, or to explain what has or will happen as a result of your complaint. The Headteacher will keep a record of all interactions with you and other staff, meetings and decisions made in reference to your complaint.
- 2.4.4** If the complaint is against a member of staff, the Headteacher will talk to that employee. If it is an allegation of abuse, a formal investigation may be instigated by the school or external child welfare authorities to whom the school reports. Please refer to our Safeguarding & Child Protection Policy for an outline of this procedure.
- 2.4.5** The Headteacher will respond to you in writing within 10 school days outlining their response to your concern, and any action that has or will be taken. If they have decided not to take any further action on the issue, they will explain what they have decided, how they have reached this decision, and will outline your right to take the matter further and the steps to be taken.

2.5 Stage 2

- 2.5.1** If, having spoken to the Headteacher, you are dissatisfied with the outcome of your complaint or your complaint is about the Headteacher, you may lodge your complaint with the Lead CA. The complaint must be in writing and it should explain your concern and the steps that have lead up to you taking this course of action.
- 2.5.2** If the complaint is against a member of staff, that employee will be given the opportunity to write a response, which will be sent to the Lead CA within 10 school days of the complaint being lodged with them.
- 2.5.3** The Lead CA will respond to you in writing within 10 school days outlining their response to your concern, and any action that has or will be taken. If they have decided not to take any further action on the issue, they will explain what they have decided, how they have reached this decision, and will outline your right of appeal and how you can start your appeal.

Appeals

2.6 Stage 3:

- 2.6.1** If you would like to lodge an appeal following the outcome of a formal complaint at stage 2, this will be taken to an appeals panel. You should write to the Chair of Trustees to exercise this right within 10 school days of the outcome at Stage 2. If no request for an appeals panel hearing is received within 10 school days, it will be deemed that the decision is accepted and the complaint will be closed.
- 2.6.2** If an appeals panel is requested, the Chair of Trustees will acknowledge your appeal and will refer the request to the National Leadership Team who will designate a clerk to the appeals panel to make the necessary arrangements. The clerk will usually convene the appeals panel within 10 school days from the acknowledgement being sent. Where it is

not possible to find a mutually convenient date within that timescale, the clerk will take reasonable steps to agree a time and date mutually convenient to all parties.

- 2.6.3** The clerk will ensure that all parties to the appeal have access to the same documentation and set out a timetable to support the collation and circulation of documents. Any supporting documentation relevant to the complaint must be submitted to the appeals panel by both parties at least 5 days before the appeals panel hearing.
- 2.6.4** You are entitled to be accompanied to the appeals panel hearing and should notify the clerk in advance if you attend to bring anyone.

2.7 The Appeals Panel

- 2.7.1** The panel shall consist of at least three people who were neither directly involved in the matters detailed in the complaint, nor involved in hearing the complaint at Stage 2. At least one of the panel shall be independent of the running and management of the school, and shall not be either a Trustee of Focus Learning Trust or a Trustee or Headteacher of another Trust or School which is affiliated to Focus Learning Trust. Another of the panel shall be drawn from a list of the Trustees for the time being of Focus Learning Trust and of other persons nominated by Focus Learning Trust as suitable persons to sit on complaint panel hearings.
- 2.7.2** No person can sit on the appeals panel if they have had any former knowledge or involvement in the case that is being dealt with at that time. The chair of the panel will be nominated from within the group of panel members. All panel members will be familiar with and have access to the complaints policy.
- 2.7.3** The panel will give careful consideration to how the complainant can be made to feel most comfortable presenting to the panel, especially in the case of a young child having to present or explain information.

2.8 Appeals procedure

- 2.8.1** The Appeals Panel will determine the procedure to be followed to ensure that it is best placed to deal with the issues arising from the complaint. The procedure for an appeal is usually as follows:
- The complainant and campus representatives will be heard separately with the complainant being heard first.
 - The chair will introduce the panel members to the complainant and outline the process.
 - The complainant will explain the complaint.
 - The panel will question the complainant.
 - The complainant will leave
 - The campus representatives will be heard by the panel
 - The chair will introduce the panel members to the campus representatives and outline the process.
 - The campus representatives will explain their actions
 - The panel will question the campus representatives.
 - The campus representatives will leave
 - The clerk will stay to assist the panel with its decision making.
- 2.8.2** The chair of the panel/clerk to the panel will notify the complainant of the panel's decision in writing within 10 school days of the appeal hearing. The letter will set out the decision

of the panel together with the reasons underpinning that decision. The letter may set out recommendations which will be made to the trustees.

2.9 The appeals panel may:

- dismiss all or part of the complaint
- uphold all or part of the complaint
- decide on the appropriate action to be taken to resolve the complaint
- evaluate all the evidence available and recommend changes to the school's systems or procedures as a preventative step against similar problems arising in the future.

2.9.2 The panel's decision is final.

2.10 Costs incurred centrally by OneSchool UK in organising personnel for a complaints panel hearing will be borne by the Campus.

2.11 Vexatious complaints

2.11.1 Whilst it is hoped that this document will reduce any dissatisfaction with the school, it is acknowledged that there may be rare occasions where a complainant continues to be dissatisfied with the school and the outcomes achieved under the complaints procedure.

2.11.2 Where a complainant attempts to re-open an issue which has already been dealt with under the complaints procedure, the chair of trustees will contact them to inform them that the matter has already been dealt with and that either that stage of the policy has been exhausted or that the complaints procedure has been exhausted and the matter is considered closed. Where further correspondence is received on the same matter, this may be considered vexatious and the school will be under no obligation to respond to that correspondence.

2.12 Trustees – review and monitoring of complaints

2.12.1 The Campus will review and evaluate all complaints no matter how far they are taken or what the outcome to ensure that similar problems are avoided in the future or to see if they could have been managed any more effectively. All records of any complaints will be kept confidential but may be inspected where appropriate by the Secretary of State or any inspection body.

3 RESPONSIBILITIES

Post(s)	Responsibilities	Ref
All Staff	<ul style="list-style-type: none"> • Read and understand the processes set out in this document • Follow through on action points agreed at meetings related to a concern or complaint • Deal with parental concerns appropriately and effectively 	
NLT Board Members	<ul style="list-style-type: none"> • Assign a clerk to the appeals panel in the event of complaint reaching stage 3 • Approve the formation of an appeals panel 	
School Trust Board Members	<ul style="list-style-type: none"> • Hear complaints raised against the Headteacher 	

	<ul style="list-style-type: none"> Communicate with the complainant at a stage 2 complaint Refer a stage 3 complaint to the National Leadership Team 	
Headteacher	<ul style="list-style-type: none"> Deal with concerns raised effectively at informal levels to avoid escalation of issues wherever possible Manage stage 1 complaints 	

4 REFERENCE DOCUMENTS

Anti-Bullying Policy
 Behaviour Management Policy
 Safeguarding & Child Protection Policy
 Data Protection Policy
 Equality of Opportunity Policy
 Parent Student Handbook
 Prospectus
 Public Interest Disclosure (Whistleblowing)
 Grievance and Disciplinary Policy
 Capability Procedure
 SEND Learning Support Policy and Procedures
 Staff Handbook
 Equality Act 2010

5 AUDIT AND ASSURANCE

Element to be monitored	Lead	Tool	Freq	Reporting Arrangements	Acting on Recommendations and Lead(S)	Change in Practice and Lessons to be shared

6 APPENDICES

