



Ludlow CE School

Complaints Policy

Policy Date:	January 2016
MAT Board Approval:	23 rd March 2016
LGB Approval:	February 2018
Review Date:	February 2019
Next Review Date:	February 2020

Headteacher - *Paula Hearle*

Chair of Governors - *Ian Jones*

Update**Date:**

Format change no procedural content change

October 2017

Multi-Academy Trust updated to

October 2017

Bishop Anthony Educational Trust

Education Funding Agency updated to

October 2017

Education Skills and Funding Agency

Contact telephone number update

October 2017

Policy, Approval and Review dates added

October 2017

Reviewed by Strategy and Resources Committee

February 2019

Who should use this policy?

The procedure sets out arrangements for the school in respect of complaints by parents, carers and members of the wider community, other than:

- Complaints about admissions or exclusions appeals procedures
- Staff grievance procedures

for which separate complaints procedures exist.

The Management of Complaints

At Ludlow CE School, and in all schools in the Bishop Anthony Educational Trust, all complaints will be dealt with as quickly and efficiently as possible. The length of the period will vary with the gravity and complexity of the complaint, and the urgency with which it needs to be settled. However, the intention is that all complaints should be settled within a period which is reasonable in all the circumstances. All official complaints received (it is important to establish that the complaint is indeed formal), including those ultimately resolved at an informal stage, should be recorded by the school's nominated Complaints Officer, especially if the complaint is lodged against the Headteacher. The outcome of the complaint shall also be recorded, together with reasons for that decision. The outcome falls into one of the following categories:

- Complaint resolved informally
- Complaint dismissed
- Complaint to be dealt with under another procedure
- Complaint upheld and the appropriate action is deemed to be one of:

- 1) counselling
- 2) training
- 3) general supervision
- 4) other management action

We encourage all parents and carers to approach any member of staff in the first instance if they have a concern or a complaint. People who are not parents of students attending the school should raise their concern or complaint with the Headteacher in writing. If a member of the public's concern or complaint is regarding the Headteacher the information should be sent in writing to the Chair of Governors, via the school office, marked urgent and confidential.

Urgent complaints will be identified as such and given priority. All complaints will be investigated fully, fairly and carefully, and complainants will be kept informed of progress during, as well as at the end of each stage. The main aim at all stages will be to secure that either the complaint is settled, or that a decision is taken about the complaint and it can then, if required, proceed to the next stage. Complainants and the school may seek advice from the Bishop Anthony Educational Trust (BAET), but the BAET cannot determine the outcome of a complaint.

Stages

In the event that these initial approaches fail to resolve a complaint, this policy sets out the procedures that should be followed to allay any concerns about a particular issue.

There are three school-based stages to the complaints procedure:

(See Appendix A)

Stage 1 – informal investigation of complaint heard by subject teacher, subject leader, tutor or Curriculum Learning Tutor, or Headteacher, in some instances

Stage 2 – complaint heard by Headteacher, or Chair of Governors, if the complainant is not satisfied with the outcome at Stage 1

Stage 3 – complaint heard by the Local Governing Body's complaints panel

Anonymous concerns or complaints will not be investigated under this procedure, unless there are exceptional circumstances. To enable proper investigations, concerns or complaints should be brought to the attention of the school as soon as possible.

In the event that the complainant believes that the school has failed to comply with its own complaints procedure, or that the school's complaints procedures does not comply with statutory requirements, the complainant may refer their complaint to Bishop Anthony Educational Trust.

If you do not understand any part of this policy, please do not hesitate to contact the Head teacher or the member of the Local Governing Body who is responsible for complaints. Your complaint will then be investigated fully, ensuring all the relevant facts are taken into consideration.

STAGE 1 - Dealing with Concerns and Complaints Informally

Many minor complaints can be resolved quickly and informally. There are many occasions where concerns are resolved straightaway through the subject teacher, subject leader, tutor or Curriculum Learning Tutor, depending upon the nature of the complaint. This is where the procedure should start and, unless there are exceptional circumstances, there should always be full discussion at the informal stage.

In the case of serious concerns, it may be appropriate to address them to the Headteacher directly, or to the Chair of the Local Governing Body, if the complaint is about the Headteacher.

If the complainant believes that the matter has not been resolved to their satisfaction at the first meeting, the complainant should contact the Headteacher. The complaint may be made verbally or in writing, using a Complaints Form, if desired (Appendix B). The school, if asked, will help anyone who would like assistance to set out their complaint, including access to translation services, where necessary. An appointment, with due notice, is likely to be necessary, so that the Headteacher can give the matter his/her full attention. If the complaint is against the Headteacher, the Headteacher should nominate another senior person to attempt to resolve the complaint informally, and then assist with the complaint formally, using a Complaints Form (Appendix B), which should be returned to the Chair of the Local Governing Body.

If the complaint concerns the Local Governing Body, then the form should be returned to: Chief Executive Officer, The Bishop Anthony Educational Trust, Unit 11, The Business Quarter, Ludlow Eco Park, Sheet Road, Ludlow, Shropshire, SY8 1FD, Tel: 01584 838880 or by email to complaints@baet.org.uk

The Headteacher will identify the appropriate procedure and either conduct the meeting with the complainant, or nominate an appropriate senior colleague to do so. Complainants should be encouraged to state what they feel might resolve the problem. The Headteacher will communicate verbally with the complainant to ensure they are clear about what action or monitoring of the situation has been decided on, giving a date if appropriate, and putting this in writing, if this seems the best way to make things clear.

STAGE TWO – Formal Referral to the Headteacher

If the Headteacher, or another senior member of staff, cannot resolve the complaint informally at Stage One, the school undertakes to deal with the complaint at a formal stage. Where the Headteacher has acted at Stage One, another senior member of staff will be nominated to investigate the complaint, as Complaints Officer.

The complaint will be formally acknowledged in writing within **five school working days**, giving the name and contact details of the person who will conduct the investigation (Complaints Officer), and a target date for providing a response, usually within **10 school working days**.

The nature of the complaint will be clarified and unresolved issues outlined. It will be established what has happened so far and who has been involved. A meeting will be arranged to ensure all the information relating to the complaint has been documented and to find out what action the complainant feels would put things right.

Everyone involved in the complaint will be interviewed, accompanied by a friend or representative, if they wish, to ensure that all the facts of the complaint are understood. The interview will be minuted to ensure a correct account is recorded. A written record of the complaint, the process of investigation, meetings, telephone conversations and other documents will be kept for two years. These are confidential.

Those involved in the complaint will be encouraged to say what actions they feel would remedy the situation at any time. The person investigating the complaint will produce a report and a written response to the complainant. Whilst every effort will be made to complete investigations promptly, in some cases, requiring detailed investigations, and/or where a number of witnesses will need to be interviewed, it will take longer to produce a written response. Where this is the case, the complainant will be advised of any revised timescale for production of the written response.

The written response will include:

- details of the agreed subject matter of the complaint
- details of who was contacted in connection with the subject matter of the complaint (and in brief) the evidence that was obtained
- a full explanation of the decision reached and the reasons for it
- where applicable, what action the school will take to address the complaint and prevent recurrence
- what to do if the complainant is not satisfied, information on how to request a review by the governing body and the timescale

If the complainant is not satisfied with the outcome, the complainant should contact the Chair of Governors. The school shall make the name and address of the Chair of Governors available to the complainant. The Chair of Governors will initially attempt to resolve the complaint informally and may contact the BAET for advice. If the Chair of Governors cannot resolve the complaint informally, he/she will refer the matter to the Governors' Complaints Committee, who shall deal with the complaint appropriately.

STAGE THREE – Local Governing Body Complaints Panel

A request to review a complaint investigation should be made by the complainant in writing to the Chair of the Local Governing Body within **28 school working days** of receipt of the outcome letter and should give the reasons for requesting a review.

The Chairman of the Local Governing Body will convene a Complaints Panel consisting of two governors, who should not have been involved in the early stages of the complaint, and one person who is independent of the management and running of the school. BAET will arrange for appointment of an independent person for the Complaints Panel. The panel will elect their own chair.

A clerk will be appointed to the panel. The Clerk will usually convene the Complaints Panel hearing within **15 school working days** of receipt of the review request. The Clerk will:

- set the meeting date, time and venue of the hearing, ensuring that the dates are convenient to all parties, and that the venue and proceedings are accessible
- where possible give a minimum of **5 school working days'** notice of the hearing
- collate any written material and send it to the parties in advance of the hearing
- invite the school party to submit a written response to the complainant's letter
- meet and welcome the parties as they arrive at the hearing
- record the proceedings and notify all parties of the panel's decision

The Complaints Panel is the last school-based stage of the Complaints Process. Individual complaints would not be heard by the whole Governing Body at any stage, as this would compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

The Complaints Panel can:

- 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

It is important that the Complaints Panel hearing is independent and impartial and that it is seen to be so. No governor can sit on the panel if they have had a prior involvement in the complaint, or in the circumstances surrounding it. In deciding the make-up of the panel, governors need to try and ensure that it is a cross-section of the categories of governor, and sensitive to the issues of race, gender and religious affiliation.

The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. The Complaints Panel Chair will ensure that the proceedings are as welcoming as possible. The complainant may bring a friend or representative to the meeting, if they wish. Extra care needs to be taken when the meeting includes a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.

The Chair of the Complaints Panel will notify the complainant of the panel's decision in writing within **5 school working days**. Copies of the panel's findings or recommendations will be made available at the school for inspection by BAET and the Headteacher.

The letter will explain that, in the event the complainant does not feel their complaint has been dealt with to their satisfaction by the school and Local Governing Body, they may contact BAET at:

Chief Executive Officer

Unit 11, The Business Quarter, Ludlow Eco Park, Sheet Road, Ludlow, Shropshire, SY8 1FD

Tel: 01584 838882

www.baet.org.uk

Any complaints referred to BAET will be dealt with under a separate policy titled *Policy Relating to the Management of Complaints to the Multi Academy Trust*. This policy is available on the Trust website www.baet.org.uk or is available on request from the Bishop Anthony Educational Trust.

If, following a review of the complaint process by the Multi Academy Trust, the complainant is still not satisfied they have the right to complaint to the Education Skills and Funding Agency, using an online complaints form.

Records of Complaints

A confidential written record will be kept of all complaints and any action taken by the school as a result of the complaint, regardless of whether they were upheld, resolved at the preliminary stage or proceeded to a panel hearing.

Correspondence, statements and records relating to individual complaints are kept confidential, except where the Secretary of State or a body conducting an inspection under Section 109 of the 2008 Education and Skills Act requests access to them.

Review of Complaints

The Local Governing Body will monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary. The Headteacher will report any official complaints in the Headteacher's Report to Governors and to the Multi Academy Trust Board of Directors.

As well as addressing an individual's complaint, the process of listening to and resolving complaints will contribute to school improvement. When individual complaints are heard, the Local Governing Body may identify underlying issues that need to be addressed. The monitoring and review of complaints by the school and the Local Governing Body will be a useful tool in evaluating the school's performance.

Acceptable Behaviour

Whilst the school recognises that the process of raising a concern or complaint can be very stressful, the Bishop Anthony Educational Trust will not tolerate aggressive, violent, abusive or anti-social behaviour towards anyone on the school site. Parents and members of the public are required to behave in a polite and courteous manner, and to abide by the guidance set out in the *"Visitors' Code of Conduct"* available at the school's Reception office, or in the *"Expected Behaviour of Parents and Visitors to an Academy"* policy on request from the Multi Academy Trust offices. School staff are expected to behave in a courteous and professional manner when dealing with parents and member of the public at all times.

Vexatious Complaints

It is the aim of the Bishop Anthony Educational Trust to resolve all complaints to the satisfaction of all parties. However, if there is an occasion when, despite all stages of the complaints procedures having been followed, the complainant remains dissatisfied and tries to reopen the same issue, the Chair of the Local Governing Body is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

Publicising the Procedure

There is a legal requirement for the Complaints Procedure to be publicised. Each school will include this information on the school website. A copy will also be included in the Policy file held in the school's system, with a hard copy available on request.

Review of Policy

There will be review of this policy every 3 years by the Local Governing Body.

Relevant Legislation

Part 7 of the Education (Independent Academy Standards) (England) Regulations 2014

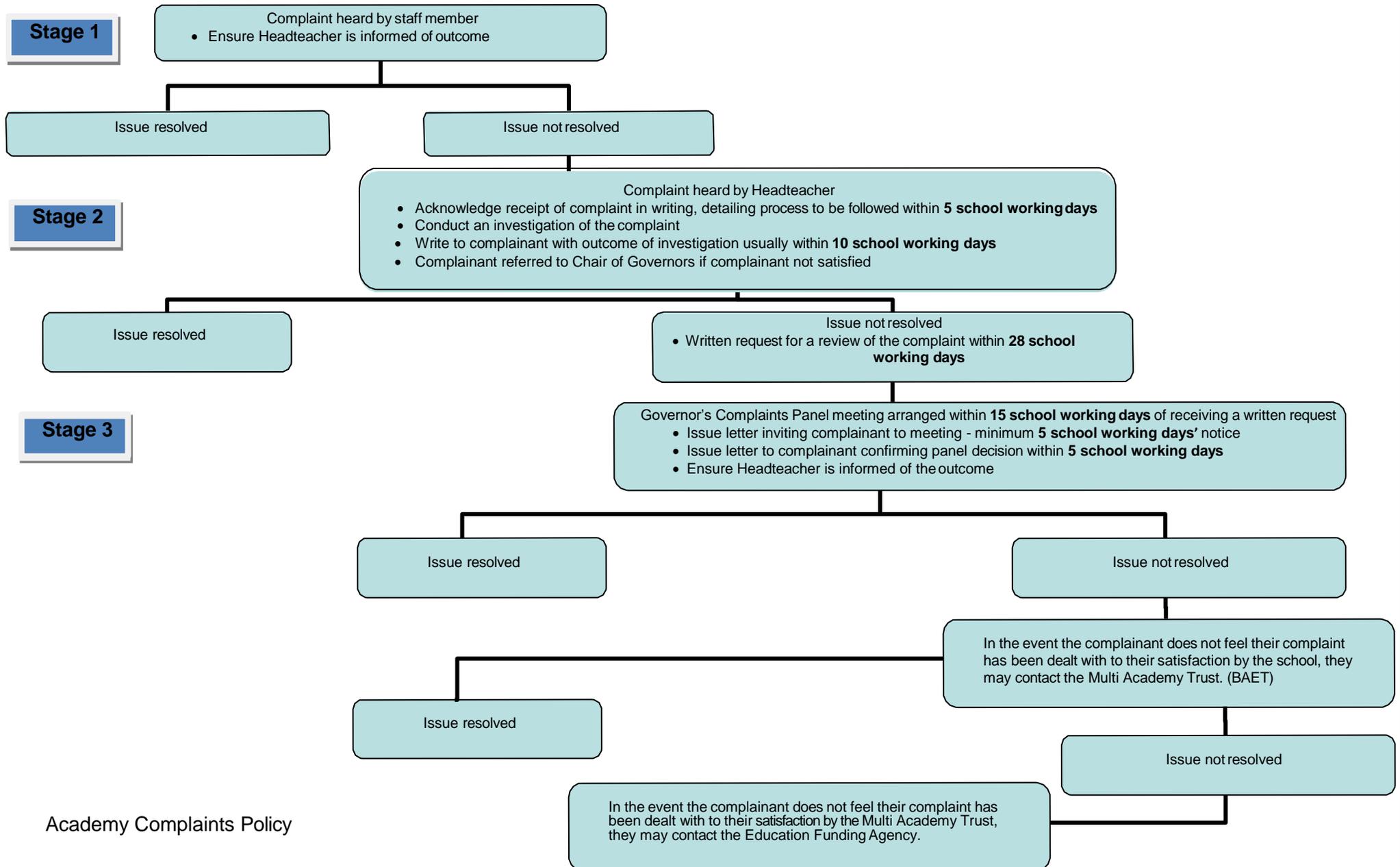
Appendix:

Number of Formal Complaints registered in 2016-17: Nil

Number of Formal Complaints registered in 2017-18: Nil

Annex A - Flowchart

Summary of Dealing with Complaints



Annex B - Complaint Form

Please complete and return to the Headteacher at Ludlow School, who will acknowledge receipt and explain what action will be taken.

Your name:

Student's name:

Your relationship to the student:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint:

**What action, if any, have you already taken to try and resolve your complaint?
Who did you speak to and what was the response?**

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

Are you attaching any paperwork? If so, please give details:

Signature: Date:

Official use

Date acknowledgement sent: By

whom:

Complaint referred to: Date: