



Thinking Schools Academy Trust
“Transforming Life Chances”

Complaints Policy

This policy was adopted on	Dec 2017
The policy is to be reviewed on	Dec 2018

The Directors of the Thinking Schools Academy Trust have approved and adopted this procedure to allow parent/carers of pupils attending academy schools within the trust to raise a concern or complaint relating to the relevant academy.

This procedure does not apply to concerns and complaints relating to the following, which are dealt with under separate policies:

- a) exclusions;
- b) admissions;
- c) appeals relating to internal assessment decisions for external qualifications;
- d) complaints about statements of SEN/EHC Plans;
- e) grievances or disciplinary issues relating to members of staff; or
- f) issues related to child protection.

The aims of the procedure are:

- to deal with any complaint against an academy or any individual connected with it by following the correct procedure;
- to deal with all complaints thoroughly and by being open, honest and fair when dealing with the complainant.

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

Defining a Complaint

A complaint is an expression of dissatisfaction about the standards of service, actions or the lack of action by the school or its staff, affecting an individual pupil, person or group of pupils or people.

You may want to complain if you think:

- We have not treated you fairly or politely; or
- We have not done something we should have done; or
- We have done something badly.

How we deal with a complaint

When we receive complaints we will:

- Deal with people courteously and in a sensitive and helpful manner in keeping with our Mission Statement.
- Put things right where it is clear we have not given the service that you have the right to expect.
- Analyse complaints so that we can plan for the future by taking your views into account.

If, in the course of consideration of a complaint, it is decided that disciplinary proceedings should be initiated against a member of staff, separate action will be taken as appropriate.

The complainant may make his or her representations at each stage of the procedures in person, accompanied by a friend if so desired. Where appropriate, steps will be taken to ensure that information is available to complainants in languages other than English and arrangements made for an interpreter to be present during any oral representation.

The stages to follow:

Stage one

Many enquiries and concerns expressed by parents/carers and others about the school can be dealt with satisfactorily by the teacher or head of year or other members of staff without the need to resort to the formal procedure. We value informal meetings and discussions and encourage parents to approach staff with any concerns they may have, and aim to resolve all issues with open dialogue and mutual understanding.

If the matter is brought to the attention of the Head/Principal s/he may decide to deal with your concerns directly at this stage. If the concerns are about the Head/Principal these should be referred directly to the Phase Director under Stage 2.

Complaints at this stage will generally be dealt with within 5-10 working days.

Stage two

If dissatisfied, the person concerned may then submit a formal complaint to the Headteacher or Principal of the relevant academy. He or she must do so in writing, making clear that it is a formal complaint and specifying its nature as exactly as possible and details of how the matter has been dealt with so far, attaching any documents they wish to rely on. You should also include a clear statement of how you would like the Academy to resolve your complaint.

You should receive a written acknowledgement of your complaint within 3 working days and a response within 20 working days.

If in his/her view the complaint falls outside the scope of the procedures the Head teacher/Principal will advise the complainant of any other recourse he or she may have. The Headteacher/Principal will consider urgent complaints as quickly as possible. If it is clear that investigation of the relevant complaint will take some time, the Headteacher/ Principal will notify the complainant of the fact and of progress during consideration of the complaint. Following that consideration, the Headteacher/Principal will inform the complainant of:

- the decision he/she has reached and the reason for it;
- any action taken or proposed including details of any request made to those complained against or take particular actions to resolve the complaint.

In such instances where the complaint falls outside the scope of the procedures the decision of the Headteacher or Principal is final. If the complaint is about the

Headteacher or Principal and outside the scope of this policy, then the decision of the Phase Director is final.

Stage three

Where the complaint falls within the scope of the procedures (paragraph 1), if the complainant is dissatisfied with the outcome of stage 2 response, then they should put this in writing to the Headteacher/Principal who will refer the matter to the Phase Director, who will follow the procedures and timescales outlined in stage two.

If the concerns are about the Phase Director these should be referred directly to the Regional Governing body under the final stage.

Final stage

If the complainant is still dissatisfied, the matter must be referred to a panel by the complainant writing to the Clerk to the Regional Governing Body (using the email info@tsatrust.org.uk) within 10 school days of receiving any decision at Stage 3. The referral should include all documentation the complainant wishes to rely on. Once all documentation has been received from the complainant and the Academy, these will be shared with all parties at least 5 days before the Panel hearing. The Panel reserves the right not to consider any documentation presented by either you or the academy less than 3 school days prior to the hearing.

The panel will consist of at least three people who were not directly involved in the matters detailed in the complaint. Fair consideration will be given to any bona fide objection to a particular member of the panel. The clerk will write to the complainant with details of how the panel will consider the complaint and of the complainant's rights as explained in paragraph 3 above and in the paragraphs below. Where there is a panel hearing of a complaint, the Academy will ensure that one panel member is independent of the management and running of the school.

If the complaint appears to be urgent, the clerk will convene a meeting of the committee to consider the complaint within 15 school days of its receipt, (these being days on which the school is normally in session). If the complaint is not urgent, the clerk will convene a meeting to consider the complaint within 20 school days. The clerk will give the complainant a minimum of 7 calendar days' notice of the date, time and place of the meeting; any reasonable request made by the complainant for an alternative date should result in a mutually convenient alternative date being set at the earliest possible time. The complainant will be invited to attend the hearing, accompanied if they so wish. If the complainant does not wish to attend the meeting he or she may present the complaint in writing to the committee. The complainant must submit any such material to the clerk no later than 2 school days before the meeting.

Subject of paragraph 10 and 11, the Headteacher or Principal, accompanied by a friend or representative if he/she so wishes, may be present at the meeting of the committee which is convened to consider a complaint but shall be precluded from the decision regarding the complaint.

The Complaints Panel will regulate its own procedure but any hearing will be conducted in a manner to ensure that each party has the opportunity to address the Complaints Panel. The procedure to be followed during the hearing will be set out to the parties by letter in advance of the hearing.

Where the complainant chooses to attend in person, the usual order of proceedings shall be as follows:

- The complainant and Head/Principal/Phase Director will enter the hearing together;
- The Chair of the panel will welcome the complainant, any representative and introduce those present;
- The complainant may, if he or she chooses, restate the nature of the complaint;
- The complainant may be asked questions by the panel and by the Headteacher/Principal;
- The Headteacher/Principal may be asked to make a statement to the panel regarding the matter complained of and may be asked questions by the panel or by the complainant;
- The complainant may, if he or she chooses, summarise the complaint;
- The Chair of the Panel will explain that both parties will hear from the Panel within 5 school days;
- The Headteacher/Principal, complainant and any friend or representative they have brought will be asked to leave together.

The panel shall consider at this meeting the complaint and any relevant information or factors. They shall only reach a decision after the Headteacher/ Principal and, where relevant, the complainant and any friend or representative of either individual, have withdrawn. The committee can decide:

- to reject the complaint;
- to uphold the complaint in whole or in part; or
- to investigate the complaint further.

The Chair of the Panel shall inform the complainant, the Headteacher/Principal and any other person concerned, in writing within 5 school days:

Where panel's response has failed to satisfy the complaint, the fact that further recourse lies in a complaint to Education and Skills Funding Agency (EFSA) who has limited powers to review the handling of the complaint in accordance with EFSA's 'Procedure for dealing with complaints about Academies'.

Written records of all complaints with indication of whether they were resolved at the preliminary stage or preceded to a panel hearing will be kept on the Academy premises for

stages 1 and 2 and centrally at the Trust for stages 3 and 4 and will be available for inspection by the senior leaders of the Trust.

All records concerning the complaint will be kept confidential except where access is requested by the Secretary of State or where disclosure is required in the course of a school inspection or under other legal authority.

If you have any questions about the procedures described above, you may wish to contact the Clerk to the Regional Governing body who will be able to advise you further (info@tsatrust.org.uk) .