



# Complaints Procedure

For all schools in Crofty Multi Academy Trust

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## **1. Introduction.**

1.1 The Trust recognises that it needs procedures in place to handle any type of complaint which may be made against it irrespective of the nature of the complaint. It also recognises that many complaints can start with someone 'raising a concern' which can usually be dealt with simply and informally.

1.2 This policy summarises:

- The approach it will take to take to each complaint
- How the Trust will record, monitor and report complaints
- Which roles within the organisation may be involved with complaints
- Specific types of complaints which are dealt with by other procedures

1.3 Detailed procedures for dealing with a complaint by either a parent or anyone else are included in this policy.

The procedure for dealing with an internal complaint by a Governor / Trustee / Member or a Local Governing Body is also included.

## **2. Principles.**

2.1 Time.

The Trust will deal with complaints as quickly as possible – especially those which are informal.

2.2 Simplicity.

The complaints procedures are designed to be easy to understand and minimise the need for meetings and formal correspondence wherever possible.

2.3 Keep the complainant informed.

The Trust will keep the complainant informed of progress with dealing with their complaint, including a written response to all formal complaints.

If the Trust decides it has made a mistake or that in the future it will do things differently it will tell the complainant.

The Trust will use email as the preferred method of communicating with a complainant.

#### 2.4 Fairness and Impartiality.

All complaints will be dealt with using the appropriate procedure regardless of the nature of the complaint, and taking account of the available evidence.

Where the Trust deems it appropriate it will ensure those involved in resolving a complaint were not previously involved.

#### 2.5 Confidentiality.

All details of a complaint including the individuals involved and all associated records and documentation will remain confidential unless the Trust is required to make these available to certain third parties with the statutory power to request them (for example the Department for Education or Ofsted).

#### 2.6 Record keeping.

The Trust will keep a written record of all formal complaints including any investigations carried out and any subsequent actions it takes.

### 3. Exclusions to this policy.

3.1 Complaints related to any of the following are dealt with by separate procedures:

- Admissions
- Child Protection
- Exclusions
- SEND/EHC Plans
- Staff Grievances

3.2 Anonymous complaints will not be considered using this policy and only investigated at the discretion of the Chief Executive or the Chair of the Board.

### 4. Who deals with complaints.

4.1 The members of the Trust who will be involved with resolving a complaint will depend on a combination of the following:

- The nature of the complaint
- Who makes the complaint
- Whether the complaint reaches the formal written stage

4.2 Wherever possible the person dealing with the initial informal complaint will be someone already known to the complainant – such as their child's teacher or their school's Headteacher.

4.3 It is anticipated that the majority of complaints will be dealt with by staff – teachers, Headteachers, the Chief Executive or a member of the central team. Governance (local Governors, Trustees, Members) will usually only become involved in resolving a complaint in the following circumstances:

- The complaint involves a Governor / Trustee / Member
- The complaint is made against a Local Governing Body or the Board of Trustees as a whole
- The complaint reaches Step 3 –a Complaints Review Panel

- The Chief Executive chooses to involve governance

All three tiers of governance (Members / Board of Trustees / Local Governing Bodies) may receive anonymised information about individual complaints and how they were resolved.

## **5. Reporting and escalating complaints.**

### 5.1 Informal complaints.

- Parental informal complaints will be reported to the Headteacher.
- Non-parental informal complaints will be reported to the Chief Executive.

### 5.2 Formal Complaints - Step 2.

- Parental complaints received by a school will be immediately reported to the Headteacher, Chief Executive and Chair of the Local Governing Body
- Non-parental complaints will be immediately reported to the Chief Executive and the Chair of the Board
- Any complaint concerning governance must be reported to the Trust Secretary

### 5.3 Complaint Review Panel - Step 3.

- All complaints which reach this stage will be reported to the Chief Executive, the Chair of the Board, the appropriate Headteacher, the appropriate Chair of the Local Governing Body, the Trust Secretary

## **6. Record keeping.**

6.1 The Chief Executive is responsible for ensuring appropriate systems and procedures are in place to record all formal complaints (Appendix C). As a minimum this will include:

- Complete chronology commencing with the initial informal complaint
- Names of all individuals involved with handling the complaint
- Complete record of any written information provided by the complainant
- Summary of any verbal information supplied by the complainant
- Complete record of any written information supplied to the complainant
- Summary of any verbal information supplied to the complainant
- Record of actions taken by the school / Trust
- Record of any other sharing of information / recommendations made internally

6.2 The Chair of the Board is responsible for ensuring appropriate systems and procedures are in place to record all formal complaints about governance and the Chief Executive.

## **7. Monitoring and reviewing complaints**

7.1 The Board of Trustees is responsible for the regular review of the effectiveness of this policy and the related procedures.

7.2 The Chief Executive may recommend additions or amendments at any time.

7.3 Appropriate details of all Step 3 Complaints Review Panel outcomes will be shared with the Board of Trustees. At the discretion of either the Chief Executive or the Chair of the Board they will be shared with other individuals within the Trust.

## **8. Training in handling complaints.**

8.1 The Chief Executive is responsible for ensuring all employees of the Trust are aware of the policy and the related complaints, reporting and record keeping procedures. They are also responsible for ensuring all employees receive the appropriate guidance and training. Headteachers are responsible for ensuring all school based employees receive the appropriate guidance and training so they can meet their individual responsibilities.

8.2 The Chair of the Board is responsible for ensuring that all three tiers of governance are aware of the policy and the related complaints, reporting and record keeping procedures.

## **9. Persistent complainants.**

9.1 The Trust reserves the right to deviate from some or all of this policy and the attached procedures where it considers the complainants complaint is vexatious or is the same or similar to a previous complaint which has already been resolved.

## **10. Unacceptable behaviour by the complainant.**

10.1 The Trust reserves the right to deviate from some or all of this policy and the attached procedures where it considers the complainant's behaviour to be unacceptable – including any combination of threatening, abusive or offensive behaviour.

## Part 1

### Parental Complaints Procedure

#### Who should use this complaints procedure?

**You should only use this complaints procedure if you are a parent or carer of a child at the school** (or you were a parent or carer when the incident you wish to complain about took place).

**If you are NOT a parent** then please use the General Complaints Procedure contained in this policy. Copies are available from [croftymat.org](http://croftymat.org) or on request from a Crofty MAT school.

This complaints procedure meets the standards set out in the [Education \(Independent School Standards\) Regulations 2014](#) Schedule 1, Part 7.

#### Contents

1. What YOU need to do
2. What the SCHOOL will do
3. Informal Complaint – Step 1
4. Formal Written Complaint to the Headteacher – Step 2
5. Complaint heard by a Complaints Review Panel – Step 3
6. What you can do if you are not happy with the outcome of your complaint

#### 1. What YOU need to do

- Check you are using the right complaints procedure
- Check you have not delayed too long in making a complaint
- Agree to follow the 3-step procedure

1.1 You **must** be a parent or carer of a child at the school to make a complaint using this Parental Complaints Procedure – OR you were a parent or carer of a child at the school at the time of the incident you wish to complain about.

If you are not a current parent or carer then please use the General Complaints Procedure (Part 2).

1.2 Please check that you are making your complaint within 10 calendar weeks of the incident you wish to complain about. Complaints made after this period may not be considered.

1.3 Please follow the 3-step procedure explained below (sections 3-5).

- This Parental Complaints Procedure is designed to deal with your complaint fairly, swiftly and as simply as possible.
- If you follow the 3-step procedure explained below and start by raising your concern informally the school is confident that nearly all complaints can be resolved at this first step.
- Please do not try to bypass any step by involving someone else –for example a school governor – as the school will still need to follow all three steps.

## **2. What the SCHOOL will do**

### 2.1 Treat you fairly.

- All complaints will be dealt with the same way regardless of the nature of the complaint
- The school will deal with your complaint based on the available evidence
- The complaints procedure will respect the confidentiality of everyone involved
- The school will keep a written record of any investigation carried out as part of a formal (Step 2/3) complaint; together with a record of any subsequent actions it takes

### 2.2 Keep you informed.

- If the school agrees it has made a mistake or decides that in the future it will do things differently it will tell you this
- If your complaint reaches Step 2 or 3 it will provide you with a written response

### 2.3 Deal with your complaint as quickly as possible.

- The school will respond to informal Step 1 complaints as quickly as possible
- Formal complaints which go to Step 2 or 3 will take longer to resolve as the Headteacher may need to talk to different people to gather evidence and hear both sides of the complaint
- The deadlines the school should meet are listed in sections 3-5 below
- Please be aware that any complaint made just before a half term or other holiday will usually take longer to respond to

### 2.4 Consider a range of responses to your complaint including:

- Give you an apology
- Give you an explanation of the incident or procedure you are complaining about
- Explain the steps that have been taken to prevent the same thing happening again
- Confirm the school and/or the Trust will carry out a review of procedures or policies following your complaint

### 2.5 Explain what you can do if you are not happy with the outcome of your complaint

## **3. Informal Complaint - Step 1**

3.1 Please speak to the class teacher, the Headteacher or another member of staff and explain your concern.

3.2 The school will aim to resolve your complaint within 10 working days (defined as "School term-time weekdays excluding bank holidays, weekends and school holidays.") If, for whatever reason, they need longer they will let you know in writing.

3.3 If your complaint is about a governor or the Local Governing Body the school will arrange for the Chair of the Local Governing Body to contact you.

3.4 If you and the school cannot resolve your complaint informally through discussion then you can proceed to Step 2.

#### **4. Formal Written Complaint to the Headteacher - Step 2**

4.1 Please complete the Formal Complaint Form (Appendix A) and return it to the Headteacher. This form is available below or on request from the school. You can return it either electronically or as a paper copy.

4.2 The school will acknowledge they have received your form in writing within 5 working days.

4.3 The Headteacher will investigate your complaint within 15 working days. If for whatever reason the investigation requires longer than 15 working days the school will write to you and explain why and provide the expected date for reaching a decision.

4.4 If your complaint is about the Headteacher or the Chair of the Local Governing Body then your form will be sent to either the Chief Executive or the Chair of Trustees of Crofty Multi Academy Trust. They will follow the same process as if the school was handling your complaint.

4.5 When the Headteacher has completed their investigation they will write and tell you the outcome of your complaint. This will usually be one of the following:

- Your complaint cannot be upheld (agreed with) because the available evidence is insufficient or did not substantiate your complaint
- The school does agree your complaint is valid either in part or in full

4.6 In both cases you will receive an outline of your complaint, a brief summary of what actions were taken, and the reasons for the decision.

4.7 In addition you will receive a brief summary of any further action the school will take following your complaint. Please understand this *will not* make any reference to any individuals involved in the complaint.

4.8 If you are unhappy with the outcome of your Written Complaint at Step 2 you can request a review of the decision. This will be done through a Complaints Review Panel. Please follow the procedure in Step 3 below.

4.9 If you do not request a review within 15 calendar days of the date of your written response from the school then the school will consider the complaint closed and no further action will be taken.

#### **5.1 Complaint heard by a Complaints Review Panel - Step 3**

5.2 To request a review of the school's decision you must complete a Complaints Review Form (Appendix B) and return it to the school within 15 calendar days of the date of the written response to your original complaint. This form is available below or on request from the school. You can return it either electronically or as a paper copy.



5.3 The school will acknowledge they have received your form in writing within 5 working days. They will also inform you that you have a further 7 calendar days to submit any further documents in support of your requested review.

5.4 The school will consult with you to organise a convenient time and date for the Complaints Panel which will usually be held at the school and within 20 working days of receiving your Complaints Review Form. You can ask someone to accompany you to the panel if you wish. If you do choose to submit more documentation the school *may* extend arranging the panel to 30 working days.

5.5 All forms and other documents will be sent to you, the school and the panel members no later than 5 working days before the date of the panel.

5.6 The panel will consist of three people at least one of whom will have no connection with the running of the school. In addition none of the panel will have had any previous connection with your complaint. You will be told in advance who the panel are and whether they have any connection with either the school or Crofty Multi Academy Trust. An explanation of how the panel will run will be sent to you in advance.

5.7 The outcome of the Complaints Review Panel will usually be one or more of the following:

- Your complaint is dismissed in whole or in part
- Your complaint is upheld in whole or in part
- The panel decide on an appropriate action to be taken to resolve the complaint
- The panel recommend to the school or the Trust that changes are made to systems / procedures / policies to ensure problems of a similar nature do not recur

5.8 The Chair of the Complaints Review Panel will write to you within 10 working days with the findings of the panel – which are final. A copy of the findings will also be sent to the Headteacher, the person complained about (where relevant), the Chief Executive and the Chair of Trustees.

## **6 What you can do if you are not happy with the outcome of your complaint.**

6.1 If you have completed all three steps of this Parental Complaints Procedure and are not happy with the outcome you can complain to the Education Funding Agency (EFA). You can use the Department for Education's [schools complaints form](#) for this.

Please be aware that the EFA clearly state you must follow the school's 3 step parental complaints procedure first.

6.2 The EFA have also published [guidance](#) on their procedure for dealing with complaints about academies.

6.3 The guidance document lists the following address if you wish to complain by post:

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

## Part 2

### General Complaints Procedure

#### Who should use this complaints procedure?

You should use this complaints procedure UNLESS you are a parent or carer of a child at any Trust school (or you were a parent or carer when the incident you wish to complain about took place).

If you are a parent or carer then please use the Parental Complaints Procedure which is available from your school or on request from website of the school.

#### Contents

1. What YOU need to do
2. What the TRUST will do
3. Informal Complaints
4. Written Complaints
5. What you can do if you are not happy with the outcome of your complaint

#### 1.1 What YOU need to do

- Check you are using the right complaints procedure
- Check you have not delayed too long in making a complaint

1.1 Anyone can use this General Complaints Procedure except for parents or carers of a child at any Trust school (or you were a parent or carer of a child at the school at the time of the incident you wish to complain about.)

If you are a current parent or carer then there is a separate Parental Complaints Procedure (Appendix A) which is available from your school's office or from the school's website.

1.2 Please check that you are making your complaint within 10 calendar weeks of the incident you wish to complain about. Complaints made after this period will not be considered.

1.3 Please be aware the Trust reserves the right to deal with some complaints using other more appropriate or required procedures. Examples include contractual disputes and school admissions.

## **2.1 What the TRUST will do**

### 2.1 Treat you fairly.

- The Trust will deal with your complaint based on the available evidence
- The complaints procedure will respect the confidentiality of everyone involved
- The Trust will keep a record of any formal investigation carried out in response to a written complaint; together with a record of any subsequent actions it takes

### 2.2 Keep you informed.

- If the Trust agrees a mistake has been made or decides that in the future it will do things differently it will tell you this
- If you make a written complaint it will provide you with a written response

### 2.3 Deal with your complaint as quickly and effectively as possible.

- The Trust will respond to informal complaints as quickly as possible
- Written complaints will usually take longer to resolve than an informal complaint
- Please be aware that any complaint made just before a half term or other school holiday will usually take longer to respond to

### 2.4 Consider a range of responses to your complaint including:

- Give you an apology
- Give you an explanation of the incident or procedure you are complaining about
- Explain the steps that have been taken to prevent the same thing happening again
- Confirm the Trust will carry out a review of procedures or policies following your complaint

### 2.5 Explain what you can do if you are not happy with the outcome of your complaint

## **3.1 Informal Complaints**

### 3.2 Please contact the Trust by using any of the following methods to explain your complaint:

- By email to [suzanne.descotes@croftymat.org](mailto:suzanne.descotes@croftymat.org)
- By post to Crofty MAT, Unit 2, Tolvaddon Business Park, Camborne TR14 0HX
- By phone on 01209 311135.

### 3.3 The Trust will aim to respond to your complaint within 5 working days. If for whatever reason more time is needed they will inform you of the expected timescale.

### 3.4 The Trust is confident that the majority of complaints can be resolved informally. If you feel this approach is inappropriate for the nature of your complaint or you are dissatisfied with the response to your informal complaint then please make a Written Complaint as outlined in section 4 below.

#### 4.1 Written Complaint

4.2 Please complete the Formal Complaint Form (Appendix A) which can be requested from the Crofty MAT Office and return it to the Trust along with any accompanying documentation using any of these methods:

- By email to [suzanne.descotes@croftymat.org](mailto:suzanne.descotes@croftymat.org)
- By post to Crofty MAT, The Setons, Unit 2, Tolvaddon Business Park, Camborne TR14 0HX

**EXCEPTION:** If your complaint is about the Chief Executive then please request the General Complaint form and return it to the Trust addressed to the Chair of the Board. This can be done by using any of these methods:

- By email to [chair@croftymat.org](mailto:chair@croftymat.org)
- By post to Crofty MAT, The Setons, Unit 2, Tolvaddon Business Park, Camborne TR14 0HX

4.3 The Trust will acknowledge they have received your form within 5 working days.

4.4 The Trust will investigate your complaint within 20 working days. If for whatever reason more time is needed the Trust will write to you and explain why and provide the expected date for reaching a decision.

4.5 When the Trust has completed their investigation they will write and tell you the outcome of your complaint. This will usually be one of the following:

- Your complaint cannot be upheld because the available evidence is insufficient or did not substantiate your complaint
- Your complaint has been upheld either in part or in full

4.6 In both cases you will receive an outline of your complaint, a brief summary of what actions were taken, and the reasons for the decision. In addition you will receive a brief summary of any further action the Trust will take following your complaint.

#### 5.1 What you can do if you are not happy with the outcome of your complaint.

5.2 If you are not happy with the way the Trust has dealt with your complaint you can complain to the Education Funding Agency (EFA). You can use the Department for Education's [schools complaints form](#) for this.

5.3 The EFA have also published [guidance](#) on their procedure for dealing with complaints about academies.

5.4 The guidance document lists the following address if you wish to complain by post:

Ministerial and Public Communications Division  
Department for Education  
Piccadilly Gate  
Sore Street  
Manchester

M1 2WD

## Part 3

### Internal Governance Complaints Procedure

This procedure applies to the following complaints:

- An individual governor / trustee / member wishes to raise a concern or complaint which has arisen **as a result of their governance role and responsibilities.**
- A Local Governing Body wishes to raise a concern or complaint about the Board of Trustees.
- A member of staff wishes to raise a concern or complaint about a governor / trustee / member

There are three separate steps to this procedure:

1. Inform the Trust Secretary
2. Raise the complaint informally
3. Make a formal complaint

#### General principle for internal governance complaints

A complaint from an individual Governor / Trustee / Member about another Governor / Trustee / Member will be dealt with by applying the relevant Code of Conduct.

#### 1.1 Exclusions to this procedure.

- 1.2 For any complaint made in an individual capacity (eg. as a parent or member of the local community) either the Parental or General Complaints Procedure should be used.

#### 2.1 Step 1 – inform the Trust Secretary.

- 2.1 Make contact with the Trust Secretary and explain the concern or complaint you wish to raise. They will advise you whether this procedure does apply to your complaint, who to raise it with at Step 2, or whether it should immediately be made a Step 3 formal complaint.

- 2.2 If your complaint is about the Trust Secretary then go straight to Step 2.

#### 3.1 Step 2 – informal complaint.

- 3.2 Make contact with the appropriate person from the following list and explain your concern or complaint.
  - If your complaint is about an incident or individual at a school contact the Headteacher.
  - If your complaint is about a Headteacher or a member of the central team contact the Chief Executive.
  - If your complaint is about the Chief Executive contact the Chair of the Board
  - If your complaint is about the Trust Secretary contact the Chair of the Board

- If your complaint is about the Chair of the Board contact the Trust Secretary who should contact the Chair of the members
- For any other complaint the Trust Secretary will advise you at Step 1.

3.3 The Head / Chief Executive / Chair of Trustees / Chair of members will investigate your complaint and provide you with a response within 20 working days.

#### **4.1 Step 3 – formal complaint.**

4.2 If you are not satisfied with the response you received at Step 2 and wish to escalate it OR the Trust Secretary advised you to make a formal complaint then send an email to the appropriate person with 'Formal Governance Complaint' subject line. The trust secretary will advise you who the best person to contact is with regard to the specific circumstances of your complaint.

4.3 Set out your complaint in your email and include / attach / forward all responses you received at step 2.

4.4 The appropriate person will investigate your complaint and provide you with a written response within 20 working days.



# Appendix A

## Formal Complaint Form

Please complete this form and return it, via the school office, to the Head Teacher (or Clerk to the governing body), 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 pupil on the school roll):

.....

Pupil'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:			

## Appendix B

### Complaint Review Request Form

Please complete this form and return it to Head Teacher (or Clerk to the governing body), 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?

Signature:

Date:

School use

Date Form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Request referred to:			
Date:			

## Appendix C

### Complaints Record Form

To be completed by person overseeing the handling of the complaint

Names of all individuals involved with handling the complaint	
Complete chronology commencing with the initial informal complaint	
Complete record of any written information provided by the complainant	
Summary of any verbal information supplied by the complainant	
Complete record of any written information supplied to the complainant	
Summary of any verbal information supplied to the complainant	
Record of actions taken by the school / Trust	
Record of any other sharing of information / recommendations made internally	