

AURORA ACADEMIES TRUST

Policy Title:	Complaints Policy
Policy Reference:	AAT Com – Exp Mar 2019
Function:	For Information and Guidance/ <u>Statutory</u>
Audience:	Parents, Trustees, Governors, Regional Directors, Executive Headteachers, Headteachers, Heads of School, Teachers, Support Staff, as necessary
Ownership// Implementatio	The Trustees/LAB Governing Body (as required) have overall responsibility for ensuring that this policy is implemented
Version:	002
Approved by Trust's Policy Working Group:	June 2017
Next Date for Review:	June 2019



Introduction

The Trust is dedicated to providing the best possible education and support for all its pupils. 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.

All Trust 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.

This document explains that procedure, and the steps that it outlines should be referred to and followed by all pupils and their parents whenever an issue arises that causes them concern.

This document does not apply to complaints about:

- Pupil admissions
- Pupil exclusions

Each of these follows its own process of complaints and appeals which are outlined in their relevant policies.

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, the school 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 the school 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 the school 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 school's safeguarding policies.

For more information on our school's provision for protecting our pupils, read our **child protection and safeguarding policy**, and the **allegations of abuse against staff** policy, both of which are available on the Trust and schools' web sites and/or from the school administration office.

Anonymous complaints will not be examined under this document.

1. When an issue or concern first arises

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.



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.

We encourage parents to approach staff with any concerns they may have, and aim to resolve all issues with open dialogue and mutual understanding.

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.

If your complaint is about a member of staff, you should first raise this with the headteacher/head of school either in person or in writing, and a meeting can be arranged with the headteacher/head of school to discuss the issue at hand.

If your complaint is about the headteacher, you should raise your concern in writing with the Regional Director/Executive Headteacher.

If your complaint is about the Regional Director/Executive Headteacher, you should raise your concern in writing with the Trust Chief Executive officer

If your complaint is about the Trust Chief Executive Officer, you should raise your concern in writing with the Chair of the Trust Board.

If your complaint is about a trustee/governor, you should raise your concern in writing with the clerk to the Trust Board/Local Academy Board. They can be contacted by email on ABartlett@AuroraAcademies.org, or via post c/o Glenleigh Park Primary Academy, Gunters Lane, Bexhill-on-Sea, TN39 4ED.

Any trustee/governor will refer complaints that are taken straight to them back to the appropriate member of staff unless one of the above exceptions applies.

1.2 Stage 1 - Initial informal meeting

Once a concern has been raised you may be invited to attend an informal meeting with a member of staff or the headteacher/head of school/Regional Director/Executive Headteacher/etc. to discuss your concerns.

You are welcome to bring a friend, partner or, in the case of a pupil who has raised a concern, a parent to this meeting. It may be appropriate for a pupil to attend the meeting if their parent has raised a concern, depending on the nature of the issue.

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.

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/head of school.



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 15 school days.

2. Stage 2 - Formal complaints

In order to ensure that complaints are processed efficiently and effectively, the Trust deals with formal complaints in three stages:

Step 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/head of school.

The headteacher/head of school should acknowledge your complaint in writing within 2 school days and set a response date within 10 working days, unless this is the first time the complaint has been submitted, in which case a response date within 20 working days will be set. They will outline their decision if there is one to be made, and any action to be taken as a result of your complaint.

The headteacher/head of school may call you in for a meeting to discuss the issue outcome, possible solutions, or to explain what has or will happen as a result of your complaint.

The headteacher/head of school will keep a record of all interactions with you and other staff, meetings and decisions made in reference to your complaint. This record will be kept confidentially by the school but may be inspected where appropriate by the Secretary of State or any inspection body.

If the complaint is against a member of staff, the headteacher/head of school 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 **allegations of abuse against staff policy** for an outline of this procedure.

Step 2

The headteacher/head of school will respond to you in writing within 10/20 school days, as indicated above, 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.

Stage 2b – Further Considerations

If, having spoken to the headteacher/head of school, you are dissatisfied with the outcome of your complaint, you may lodge your complaint with the chair of the Local Academy Board (LAB). 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.



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 chair of the LAB within 5 school days of the complaint being lodged with them.

The chair of the LAB will respond to you in writing within 20 school days of receiving the complaint 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.

3. Appeals

Stage 3 – Formal complaint to the Local Academy Board

If you would like to lodge an appeal following the outcome of a formal complaint at stage 2, this will be taken to the Local Academy Board's Complaints Panel. You should write to the clerk to the governing body 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.

If an appeals panel is requested, the clerk to governors will acknowledge your appeal within three school days and make the necessary arrangements, and will usually convene the appeals panel within 20 school days from the acknowledgement being sent. Where it is not possible to find a mutually convenient date within that timescale, the school will take reasonable steps to agree a time and date mutually convenient to all parties.

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.

You will be entitled to be accompanied to the appeals panel hearing and should notify the clerk in advance if you attend to bring anyone.

The appeals panel

The appeals panel will be made up of between three to five [members of the governing body OR people, which will include at least one person independent of the management and running of the school].

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.



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.

Appeals procedure

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:

1. The complainant and headteacher/head of school will enter the hearing together.
2. The chair will introduce the panel members and outline the process.
3. The complainant will explain the complaint.
4. The headteacher/head of school and panel will question the complainant.
5. The headteacher/head of school will explain the school's actions.
6. The complainant and panel will question the headteacher/head of school.
7. The complainant will sum up their complaint.
8. The headteacher/head of school will sum up the school's actions.
9. The chair will explain that both parties will hear from the panel within 5 working days.
10. Both parties will leave together while the panel decides.
11. The clerk will stay to assist the panel with its decision making.

Note: There may be some situations where it is best to amend the above procedure so that the panel can hear from the school and complainant separately.

The chair of the panel/clerk to governors will notify the complainant of the panel's decision in writing within 5 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 governing body.

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.

4. Stage 4 – Appeal to the Department for Education

The panel's decision is final. If you are unhappy with the outcome, you may wish to put your complaint to the Secretary of State. Complaints can be submitted online at <https://www.gov.uk/complain-about-school>.



Such complaints will only be considered if you feel that the LAB has acted unreasonably or has failed to meet its duties under the Education Act 1996.

5. Vexatious complaints

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.

Where a complainant attempts to re-open an issue which has already been dealt with under the complaints procedure, the chair of governors 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.

6. Trust Board – review and monitoring of complaints

The Trust 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.

The Trust Board will review the complaints procedure every 2 years.

7. Staff complaints

Staff who have a concern about a colleague or a volunteer member of staff should refer to our **whistleblowing policy**.

The procedure for dealing with any other staff complaints or employment grievances is set out in the school's **staff discipline, conduct and grievance policies**.

These policies can be obtained from the Trust web site, the employment Manual and from the school administration office.



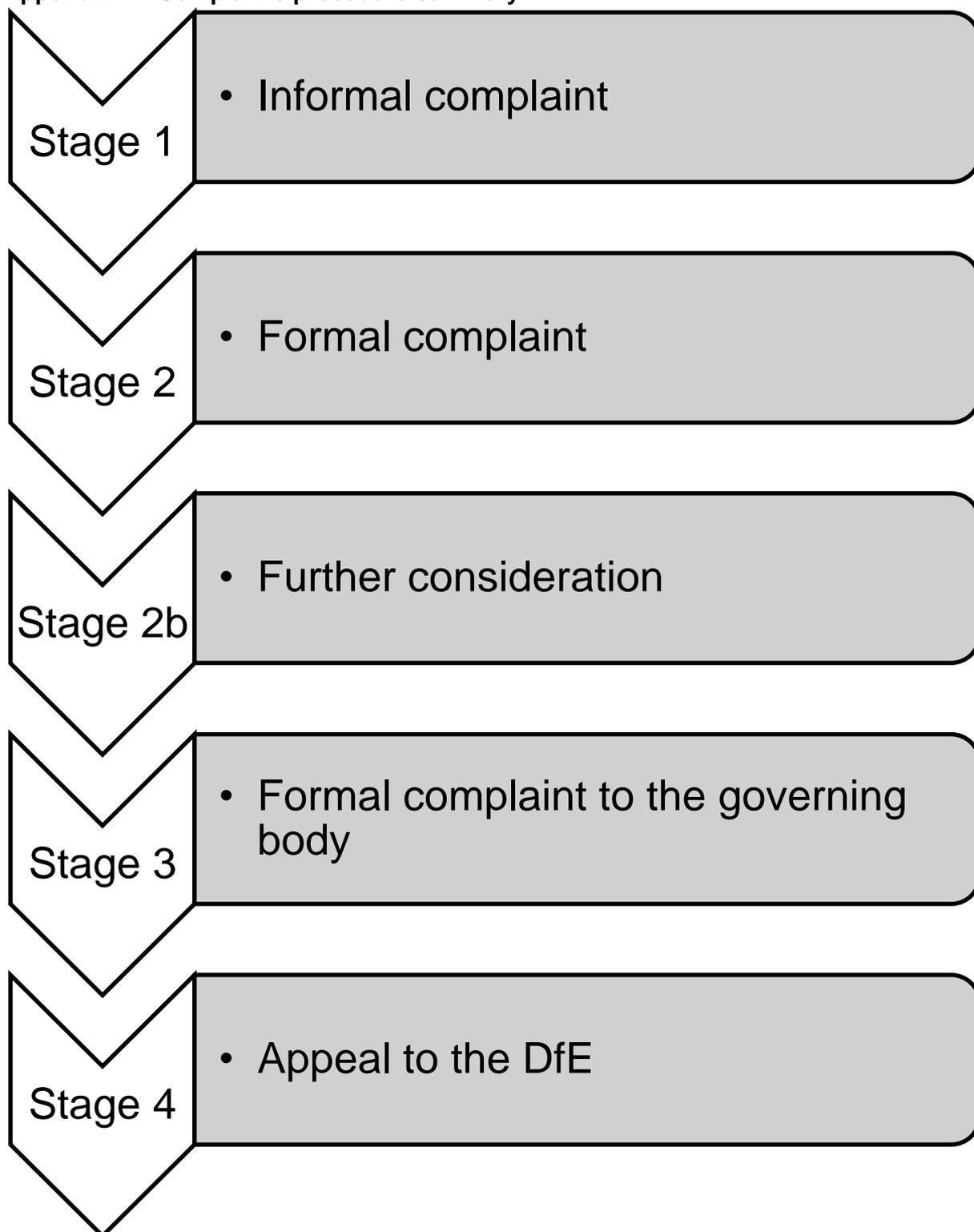
Signed by:

_____ **The Trust Chair** **Date:**

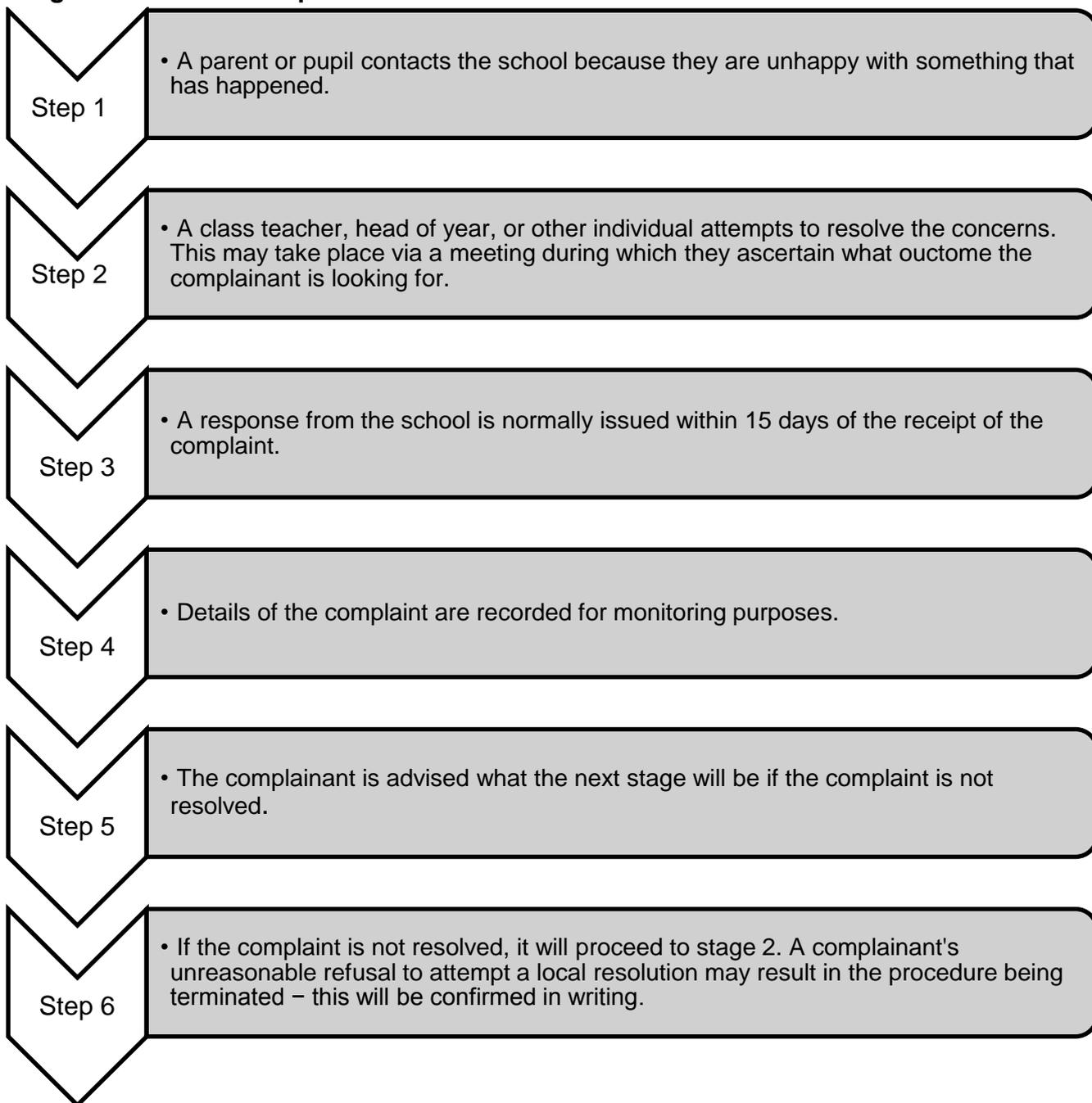
_____ **Chief Executive Officer** **Date:**



Appendix 1 – Complaints procedure summary



Stage 1 – Informal complaint

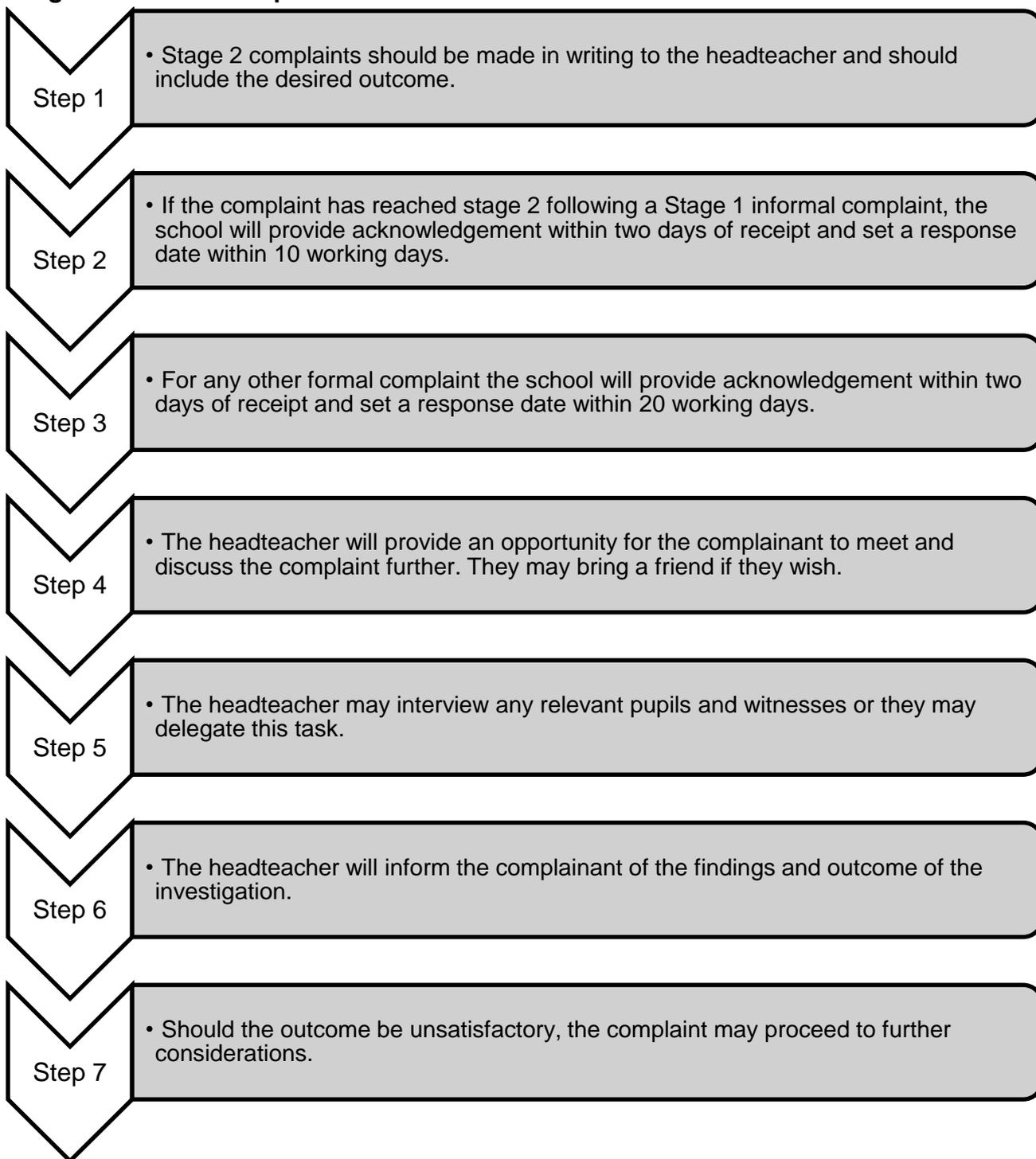


Considerations

If the complaint is centered on a class teacher or any individual in a management role it will be proceed directly to stage 2, as it would be inappropriate for someone other than the headteacher/head of school or deputy headteacher to respond. The headteacher/head of school can escalate the complaint to stage 2 at any time if they deem it appropriate.



Stage 2 – Formal complaint

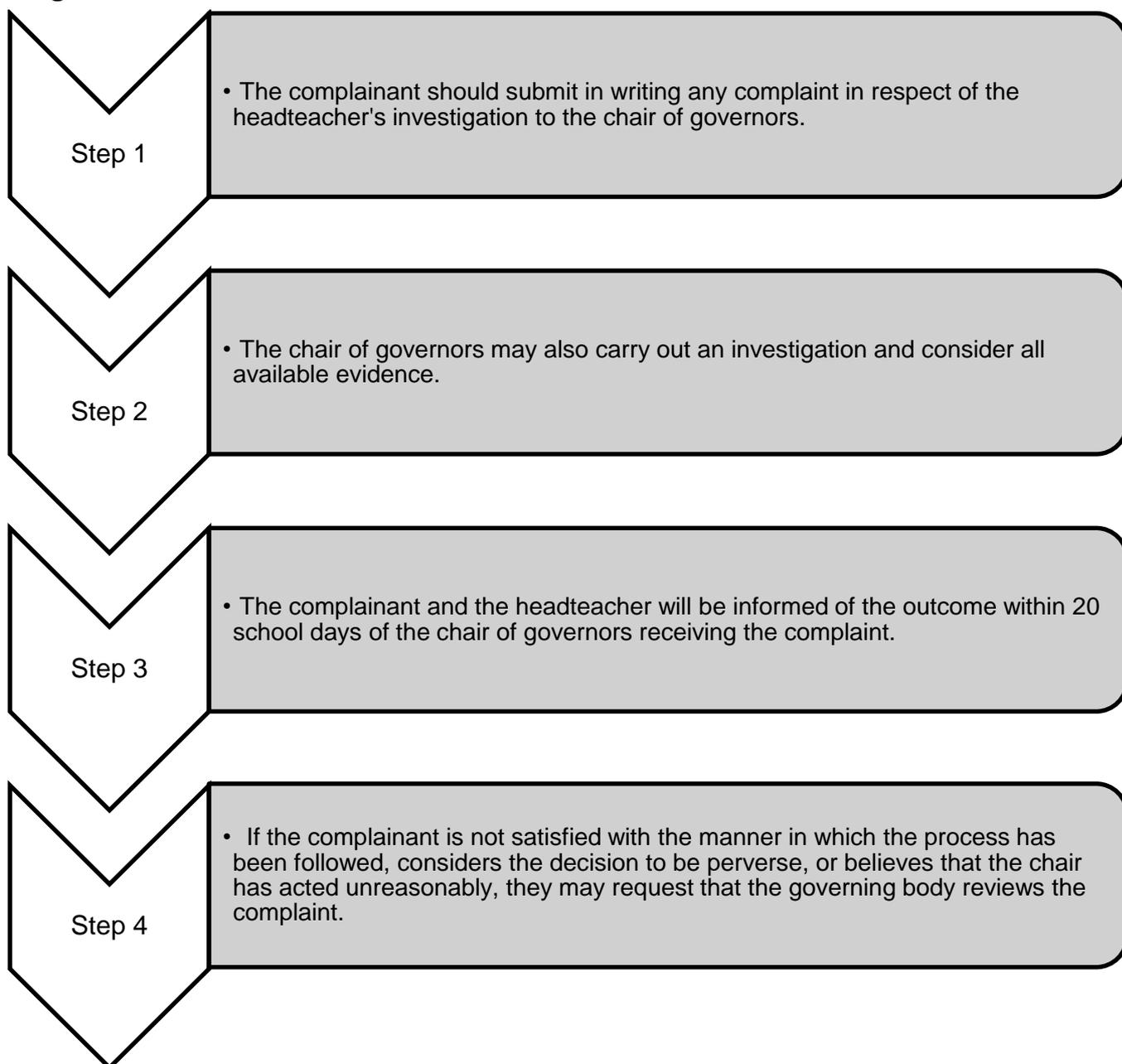


Considerations

Should the complaint be regarding the headteacher/head of school it may be prudent for it to proceed directly to stage 3.



Stage 2b – Further considerations



Stage 3 – Formal complaint to the governing body

