



Complaints Policy for Parents and Carers

1. Terms of Reference

For Parents and Carers of all students, pupils and children within academy schools of Cotswold Beacon Academy Trust (CBAT)

“Headteacher” also refers to any other title used to identify the Headteacher, where appropriate, or other senior manager delegated to deal with the matter by the Headteacher.

“Governing Body” or “Governors” refers to the Local Governing Body of the academy school who are responsible for implementing the policy within their setting. The Governing Body may refer a case to the Trustees if appropriate.

2. Purpose of the Policy

Cotswold Beacon Academy Trust (the Trust) believes that constant feedback is an important part of self-improvement and raising standards. Listening and responding to concerns and complaints enables us to adjust and improve services and systems. Providing a formal but clear way for dissatisfaction to be expressed and taken seriously is one way in which the Trust can demonstrate its respect for its partners and stakeholders.

The aim of this policy is to ensure that a concern or complaint is managed sympathetically, efficiently and at the appropriate level, and resolved as soon as possible. Doing so is good practice, it is fair to those concerned and it helps to promote parents' and pupils' confidence in our ability to safeguard and promote welfare. The Trust is committed to trying to resolve things that go wrong as soon as possible and we will always try to resolve concerns wherever possible without the need for a formal written complaint.

We need to know as soon as possible if there is any cause for dissatisfaction. We recognise that a difficulty which is not resolved quickly and fairly can soon become a cause of resentment, which would be damaging to relationships and also to our Trust culture. The policy distinguishes between a concern or a difficulty which can be resolved informally and a formal complaint which will require investigation. Parents and pupils should never feel (or be made to feel) that a complaint will be taken amiss or will adversely affect a pupil or his/her opportunities at any academy school in the Trust.

3. General Principles:

This procedure is intended to allow you to raise a concern or complaint relating to the academy school, or the services that it provides. An anonymous concern or complaint will not be investigated under this procedure, unless there are exceptional circumstances. To allow for a proper investigation, concerns or complaints should be brought to the attention of the academy school as soon as possible. In general, the academy school will not consider any concern or complaint that was raised more than 3 months after the event. If a concern or complaint is not from a parent/carer of a pupil of the academy school (for example, from a member of the public) it should be made directly to the Headteacher, preferably in writing. Complaints about the Headteacher should be sent directly to the Chair of Governors at the academy school address.

At each stage in this process parents/carers will be kept informed of the progress of their concern or complaint. Written complaints at stage 2 or 3 will be acknowledged within 5 academy school days and a written response following an investigation, or other appropriate action, will be sent within a maximum of 20 academy school days.

This policy describes a three stage procedure:

Stage 1 - Informal resolution of a concern or difficulty notified orally or in writing to a member of staff

Stage 2 - A formal complaint in writing to the Headmaster

Stage 3 - An unresolved complaint renewed in writing to the Chair of Governors

Stage 1- Informal resolution of a concern or difficulty notified orally or in writing to a member of staff

It is recommended that any concerns should be raised directly with the member of staff concerned or an appropriate line manager. This may be by letter, by telephone or in person by appointment. Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most concerns will be resolved by this informal stage. A member of the senior leadership team may also be involved at this stage if necessary. Please note that if the first approach is made to a Governor or trustee, he/she will refer the Complainant to an appropriate member of staff.

Stage 2- A formal complaint in writing to the Headteacher

If your concern is not resolved at the informal stage you must put the complaint in writing and pass it to the academy school Headteacher who will be responsible for ensuring that it is investigated appropriately. A Complaint Form is provided to help you (Appendix A).

You should include details that might help the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents.

It is very important that you include a clear statement about what you hope might reasonably contribute to a resolution of the problem at this stage. Without this, it is much more difficult to proceed. Please send the completed form, in a sealed envelope to the Headteacher. Upon completion of the investigation the Headteacher will either write to you to confirm his/her findings or may invite you to a meeting to discuss your complaint and to seek a resolution. If you accept that invitation, a friend may accompany you.

In the event of the complaint being against the Chief Executive Officer or Finance Director of the Trust, an academy school Headteacher, a Trustee or a Governor, the responsibility for the investigation and hearing, will be escalated as appropriate.

Stage 3 - An unresolved complaint renewed in writing to the Chair of Governors

In the unlikely event that the Complainant remains dissatisfied with the Headteacher's actions to resolve their concerns at Stage 2, it is requested that the complaint is put in writing to the Chair of Governors at the academy school address within 10 academy school days of receipt of the Stage 2 outcome. Complainants should include a statement specifying why he/she feels the matter has not been resolved. A Stage 3 Request form is provided for your convenience (Appendix B).

A Panel of three members of the Governing Body including the Chair of Governors will conduct a review of the complaint and the process followed at Stage 1 and 2. This will usually take place within 10 academy school days of receipt of your request. The Governors will not previously have been directly involved in the matters detailed in the complaint. The Panel will normally consider written submissions from the Complainant and the academy school, but will sympathetically consider any reasonable requests to make oral representations. You, the academy school representatives and the Chief Executive Officer of Cotswold Beacon Academy Trust (CBAT), will be informed in writing of the outcome, usually within 10 academy school days of the Panel meeting. After the outcome of Stage 3 has been communicated, the matter will then be closed as far as the academy school is concerned.

If the Complainant feels that the academy complaints policy was not been followed, the policy does not meet statutory requirements or the academy school has failed to comply with the duty imposed under its funding agreement, they may contact the Cotswold Beacon Academy Trust c/o Marling School, Cainscross Road, Stroud, Gloucestershire, GL54HE. Any complaints referred to the Multi-Academy Trust will be dealt with as specified in Appendix C.

4. Roles and responsibilities

4.1 The role of the Panel

The Panel at Stage 3 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 academy school's systems or procedures to ensure that problems of a similar nature do not recur.

There are several points which any Governor sitting on a complaints Panel needs to remember:

- It is important that the appeal hearing is independent and impartial and that it is seen to be so. No Governor may sit on the Panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- The aim of the hearing, which must be held in private, will always be to resolve the complaint and achieve reconciliation between the academy school and the Complainant. However, it has to be recognised that the Complainant might not be satisfied with the outcome if the hearing does not conclude in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the Complainant that his/her complaint has been taken seriously.
- An effective Panel will acknowledge that many Complainants feel nervous and inhibited in a formal setting. If oral representations are made then parents/carers may feel emotional when discussing an issue that affects their child. The Panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone of the hearing and care is needed to ensure the setting is informal and not adversarial.
- Extra care must be taken when the Complainant is 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 Governors sitting on the Panel need to be aware of the complaints procedure.

4.2 The role of the Clerk

The Clerk to the Governors will act as Clerk for the Panel as appropriate. The Clerk is the contact point for the Complainant and is required to:

- Set the date, time and venue of hearings, ensuring that the dates are convenient to all parties, and that the venue and proceedings are accessible.
- Collate any written material and send it to the parties in advance of the hearing.
- Meet and welcome the parties as they arrive at the hearing.
- Record the proceedings.
- Notify all parties of the Panel's decision.

4.3 The role of the Chair of the Local Governing Body/Trustees

The Chair of the Local Governing Body/Trustees should:

- Check that the correct procedure has been followed.
- Notify the Clerk to arrange the Panel if a hearing is appropriate.

4.4 The role of the Chair of the Panel

The Chair of the Panel has a key role. They must ensure that:

- The remit of the Panel is explained to all parties and each party has the opportunity to put their case forward without undue interruption.
- The issues are addressed.
- Key findings of fact are made.
- Parents and others who may not be used to speaking at such a hearing are put at ease.
- The hearing is conducted in an informal manner with each party treating the other with respect and courtesy.

- The Panel is open minded and acting independently.
- No member of the Panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure.
- Each party is given the opportunity to state their case and ask questions.
- Written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

5. Next stages

If after this academy school and Trust-based process, the complaint is still not resolved to the parent's/carer's satisfaction, he/she should contact:

The Local Government Ombudsman's Office, PO Box 4771, Coventry, CV4 0EH Tel: 0300 061 0614 or 0845 602 1983 Fax: 024 7682 0001 www.lgo.org.uk

or:

The Academies Group of the Education Funding Agency via their complaints form at:

<https://www.education.gov.uk/schools/leadership/schoolperformance/school-complaints-form>

6. Vexatious complaints

If all stages of the procedures have been followed and the Complainant remains unsatisfied and attempts to reopen the same complaint, the Chair of Governors may write to them to inform them that the procedure has been exhausted and the matter is now closed.

Cotswold Beacon Academy Trust Stage 2 Complaint Form

Please complete this form and return it to the academy school Headteacher, who will acknowledge its receipt and inform you of the next stage in the procedure.

Academy school against which the complaint is being made:	
Your Name:	
Your Address:	
Daytime telephone number:	
Evening telephone number:	

Relationship with academy school, e.g. parent of a child on the academy school's roll:	
Child's name (if relevant to your complaint):	

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:	
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What action, if any, have you already taken to try to resolve your complaint? (i.e. whom have you spoken with or written to and what was the outcome?)

What do you hope might reasonably contribute to a resolution of the problem at this stage?

Signature:

Date:

Academy school use:

Received by:		Date:	
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Acknowledgement sent by:		Date:	
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Complaint referred to:

Name		Date:	
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Name		Date:	
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Name		Date:	
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What do you hope might reasonably contribute to a resolution of the problem at this stage?

Signature:

Date:

Academy School use:

Received by:

Date:

Acknowledgement
sent by:

Date:

Complaint referred to:

Name

Date:

Name

Date:

Name

Date:

Where the academy school complaints procedure has been completed and the Complainant feels that the academy complaints policy was not followed, the policy does not meet statutory requirements or the academy school has failed to comply with the duty imposed under its funding agreement, they may contact the Cotswold Beacon Academy Trust in writing to request a review of the complaint investigation.

Generally the Multi-Academy Trust will only look into complaints about academy schools that fall into the following two areas.

1. The academy did not comply with its own complaints procedure when considering a complaint or the academy's complaints procedure does not comply with statutory requirements.

Cotswold Beacon Academy Trust cannot review or overturn an academy school's decisions about complaints but will look at whether the academy school considered the complaint appropriately. The Multi-Academy Trust will generally only do this after a complaint has been through the academy school's own procedure but may investigate sooner if there is evidence of undue delays by the academy school. If the Multi-Academy Trust finds that an academy school did not deal with a complaint appropriately it will request that the complaint is reconsidered. Similarly, if the academy school's complaints procedure does not meet statutory requirements then the Multi-Academy Trust will rectify this.

2. The academy has failed to comply with a duty imposed under its funding agreement with the Secretary of State.

The Multi-Academy Trust will seek to resolve any concerns regarding potential or actual breaches of the funding agreement with the academy school. The Multi-Academy Trust will also consider evidence that an academy school has failed to comply with any other legal obligation placed on it. The Multi-Academy Trust reserve the right not to investigate complaints considered to be vexatious or malicious or where the Multi-Academy Trust is satisfied with the action that the academy has already taken or proposes to take to resolve the complaint

Procedures for Dealing with a complaint

- a) Written complaints will be acknowledged in writing within **5 academy school days**. The Complainant will be given the name of the Investigating Officer at the Multi-Academy Trust.
- b) The Complainant will be asked to submit a written summary of the complaint.
- c) The academy school will be asked to provide:
 - A copy of its complaints procedures and details of any other relevant policies or procedures;
 - An explanation of how each stage of its complaints procedures has been followed;
 - A response to the summary of the complaint, together with relevant documents and copies of correspondence with the Complainant.
- d) The academy school will be asked to respond within **10 academy days**, notifying the Investigating Officer if there is any confidential information which may not be shared with the Complainant such as data belonging to individuals not involved in the complaint.
- e) The Investigating Officer will respond in writing to the Complainant, usually within **15 academy days**. However, whilst every effort will be made to complete investigations promptly, in some cases, requiring detailed investigations, 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.
- f) Where appropriate the Multi-Academy Trust may direct the academy to review its decision on the complaint submitted to it or change its procedures for reaching the decision if they are non-compliant with statutory requirements.