Complaints Procedure

Version Control

Version	Date	Author	Changes made:
0.1	01.10.2023	Mrs A Black	New policy written in line with guidance from the Department for Education's best practice in managing complaints.
0.2	20.11.2024	Mrs S Rostron	Adjusted existing policy to create a Trust model policy for individual Academies to adapt and adopt. • Logo header • Added statement of intent • Added complaints process • Made relevant changes to the correct stages: stage 1 informal, stage 2 formal, stage 3 panel. • Changed St. Bede Academy to 'insert Academy name here' • Changed wording from School to Trust on page 4 and added link to Trust policies on Trust website. • Took Headteacher, Chair of Governors and Clerk's name out of paragraph 'How to make a formal complaint'. • Updated web link for DFE exclusions. • Added 'insert school vision and values' on last page. • Changed Assistant Headteacher to Assistant Headteacher /Phase Leader/Middle Leader (delete as appropriate). • Took name of LADO out but left in contact details. Added new LADO email address and web page. • Changed 'a Director of the Trust' to the 'Chair of Directors' of the Trust on page 5. • Added EFSA paragraph

Statement of intent

St. Bede C of E Primary Academy aims to resolve complaints at the earliest possible stage and, where possible, informally, and is dedicated to continuing to provide the highest quality of education possible in the school throughout the procedure.

It is designed to ensure that the school's complaints procedure is straightforward, impartial, non-adversarial, allows a full and fair investigation, respects confidentiality, and delivers an effective response and appropriate redress.

This policy outlines the procedure that the complainant and the school will follow. Once a complaint has been made, it can be resolved or withdrawn at any stage. This policy and its contents are underpinned by the school vision of 'Learning, Caring, Growing Together' and the school values of Love, Honesty, Respect, Kindness, Friendship, Forgiveness and Compassion.

Complaints process
The school will ensure that the complaints procedure is:

- Easily accessible and publicised on its website.
- Simple to understand and put into practice.
- Impartial and fair to all parties involved.
- Respectful of confidentiality duties.
- Continuously under improvement.
- Fairly investigated, by an independent person where necessary.
- Used to address all issues to provide appropriate and effective responses where necessary.

There are three stages within the Complaints Procedure:

1. Informal – which will usually come in the form of a meeting between a representative of the academy and the complainant.
2. Formal – where the complaint is put in writing to the academy.
3. Panel hearing – where the panel includes at least three people who were not directly involved in the matters detailed in the complaint and one person who is independent of the management and running of the academy.

At each stage, complainants will be informed of their options for escalation if they are unsatisfied with the outcome of their complaint. The appropriate person will communicate the details of the next stage of the process when delivering the outcome of the current stage, where applicable.

To prevent later challenge or disagreement over what was said in any in-person meetings or telephone conversations at any stage of the procedure, brief notes will be kept, and a copy of any written response will be added to the record of the complaint.

Who can raise a concern or complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to St. Bede C of E Primary Academy about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

The difference between a concern and a complaint

A concern may be defined as '*an expression of worry or doubt over an issue considered to be important for which reassurances are sought*'.

A complaint may be defined as '*an expression of dissatisfaction however made, about actions taken or a lack of action*'.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaint's procedure. We take concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, we will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, we will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, we will attempt to resolve the issue internally, through the stages outlined within this complaint's procedure.

Stage 1: How to raise a concern/informal complaint

A concern can be made in person, in writing, by email or by telephone. Concerns may also be made by a third party acting on behalf of those raising a concern, as long as they have appropriate consent to do so.

In the first instance, concerns should be raised with the class teacher. If the issue remains unresolved, the next step is to raise your concern with the Assistant Headteacher then the Deputy Headteacher and finally the Headteacher. If your concern continues to remain unresolved, at this informal stage, the next step is to raise a formal complaint following the procedure below.

Concerns should not be raised with individual Governors; they have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

Stage 2: How to make a formal complaint

Before moving to the formal complaint, please raise the matter informally in the first instance with the class teacher, Assistant Headteacher then Deputy Headteacher. They will do their best to resolve the matter. If you are then unsatisfied with their dealing of this matter, then it can be raised as a formal complaint.

When a formal complaint is raised, the Senior Leader will always establish with the complainant if the matter has been dealt with informally first. If the complaint has first been raised as a formal complaint, they may recommend it is dealt with informally in the first instance.

Complaints against school staff (except the Headteacher) should be made in the first instance, in writing, to the Headteacher via the school office by completing the Formal Complaints Form (Appendix 1) and placing in a sealed envelope marked as Private and Confidential.

Complaints that involve or are about the Headteacher should be in writing addressed to the Chair of Governors via the school office by completing the Formal Complaints Form (Appendix 1) and placing in a sealed envelope marked as Private and Confidential.

Complaints about the Chair of Governors, any individual Governor or the whole Local Governing Body should be in writing addressed to the Clerk to the Local Governing Body via the school office by completing the Formal Complaints Form (Appendix 1) and placing in a sealed envelope marked as Private and Confidential.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats or holding meetings in accessible locations.

Complainants should not approach individual Governors to raise complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation. Anonymous complaints should follow the above procedure.

Timescales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by St. Bede C of E Primary Academy, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
Admissions to schools	Concerns about admissions are handled under our Admissions Policy which can be found on our school website.
Statutory assessments of Special Educational Needs	Concerns about SEND matters should be raised initially with class teachers in the first instance then referred to the SENDCo if necessary. Our SEND policy can be found on our school website.
School re-organisation proposals	Concerns about whole school re-organisation proposals should be directed to the Headteacher/Chair of Governors. Any concerns relating to class organisation should be referred to the class teachers. Year group or Key Stage organisation should be referred to the relevant Assistant Headteacher.
Matters likely to require a Child Protection investigation	Complaints about child protection matters are handled under our Child Protection and Safeguarding Policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the Local Authority designated officer (LADO) who has local responsibility for safeguarding. Telephone: 01204 337474 Email: LADO@bolton.gov.uk Web: Managing professional allegations – Bolton Safeguarding Children
Exclusion of children from school	Further information about raising concerns about exclusions can be found at: School suspensions and permanent exclusions - GOV.UK Complaints about the application of the Behaviour Policy can be made through the school's complaints procedure. The school's Behaviour and Motivation Policy can be found on the school website.
Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus

Staff grievances	Complaints from staff will be dealt with under the Trust's internal grievance procedures (The Quill C of E Trust - Policies).

Staff conduct	Complaints about staff will be dealt with under the Trust's internal disciplinary procedures (The Quill C of E Trust - Policies), if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus

If other bodies are investigating aspects of the complaint, for example the Police, Local Authority safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against St. Bede C of E Primary Academy in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

Resolving complaints

At each stage in the procedure, we want to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- An explanation.
- An admission that the situation could have been handled differently or better.
- An assurance that we will try to ensure the event complained of will not recur.
- An explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made.
- An undertaking to review school policies in light of the complaint.
- An apology.

Withdrawal of a complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

Stage 2 of complaint's procedure

Formal complaints must be made to the Headteacher (unless they are about the Headteacher), in writing via the school office by completing the Formal Complaints Form (Appendix 1) and placing in a sealed envelope marked as Private and Confidential.

You should include details which might assist 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 of the actions that you would like the school to take to resolve your concern. Without this, it is much more difficult to proceed.

The Headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within five school days.

If necessary, the Headteacher may seek to clarify the nature of the complaint, ask what issues need resolving and what outcome the complainant would like to see. The Headteacher can consider whether a face-to-face meeting is the most appropriate way of doing this.

Note: The Headteacher may delegate the investigation to another member of the Senior Leadership Team but not the decision to be taken.

During the investigation, the Headteacher (or investigator) will:

- If necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish.
- Keep a written and dated record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the Headteacher will provide a formal written response within 10 school days of the date of receipt of the complaint. If the Headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date. The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the school will take to resolve the complaint.

The Headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

If the complaint is about the Headteacher or a member of the Local Governing Body (including the Vice-Chair), the Chair of Governors will complete all the actions at Stage 1.

If the complaint is about the Chair of Governors or the entire/majority of the Local Governing Body, this will be considered by the Chair of Directors of the Trust. At the conclusion of their investigation, they will provide a formal written response.

Stage 3 of complaint's procedure

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3. A panel of three, impartial and available members of the Local Governing Body (or Directors of the Trust if the complaint at Stage 2 was dealt with by the Chair of Governors or the complaint at Stage 2 was about the Chair of Governors, or the entire/majority of the Local Governing Body) will review the complaint. The panel will not review any new complaints or consider evidence unrelated to the initial complaint. This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made in writing addressed to the Clerk to the Local Governing Body via the school office by completing the Complaint Review Request Form (Appendix 2) and placing in a sealed envelope marked as Private and Confidential. This must be received within 10 school days of receipt of the Stage 1 response.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will record the date the complaint review request is received and acknowledge receipt of this in writing (either by letter or email) within five school days.

The review panel will consist of at least three Governors with no prior involvement or knowledge of the complaint. They will decide amongst themselves who will act as the Chair of the panel.

The panel will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

At the direction of the Chair of the panel, the Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 10 school days of receipt of the Stage 3 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant is required to attend and rejects the offer of three proposed dates, without good reason, the Chair of the panel will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. If a school employee is called as a witness in a complaint meeting, they may wish to be supported by union representative. Representatives from the media are not permitted to attend.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

At least five school days before the meeting, the Clerk will:

- Confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible.
- Ask for the names of all those attending the meeting and establish in what capacity they are attending the meeting. This information must be provided at least 24 hours before the meeting convenes.
- Request copies of any further written material to be submitted to the committee at least five school days before the meeting.

Any written material will be circulated to all parties at least five school days before the date of the meeting. The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The meeting will be held in a confidential setting. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The committee will consider the complaint, and all the evidence presented. The committee can:

- Uphold the complaint in whole or in part.
- Dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:

- Decide on the appropriate action to be taken to resolve the complaint.
- Where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

Following liaison with the Clerk on the outcomes of the process, the Chair of the panel will provide the complainant and the school with a full explanation of their decision and the reason(s) for it, in writing, within five school days.

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by the school.

Next Steps

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the EFSA after they have completed Stage 3.

Roles and Responsibilities

Complainant

In order to ensure that the complaint is dealt with effectively and efficiently the complainant should:

- Explain the complaint in full as early as possible using the form provided.
- Co-operate with the school in seeking a solution to the complaint.
- Respond promptly to requests for information or meetings or in agreeing the details of the complaint.
- Ask for assistance as needed.
- Treat all those involved in the complaint with respect.
- Refrain from publicising the details of their complaint on social media and respect confidentiality.

Investigator (Stage 2)

The investigator's role is to establish the facts relevant to the complaint by:

- Providing a comprehensive, open, transparent and fair consideration of the complaint through:
    - Sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved.
    - Interviewing staff and children/young people and other people relevant to the complaint.
    - Consideration of records and other relevant information.
    - Analysing information.
- Liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- Conduct interviews with an open mind and be prepared to persist in the questioning.
- Keep notes of interviews or arrange for an independent note taker to record minutes of the meeting.
- Ensure that any papers produced during the investigation are kept securely pending any appeal.
- Be mindful of the timescales to respond.
- Prepare a comprehensive report for the Headteacher or complaints panel that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The Headteacher or complaints panel will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints co-ordinator (Stage 2)

This is usually the Headteacher/Chair of Governors. The complaints co-ordinator should:

- Ensure that the complainant is fully updated at each stage of the procedure.
- Liaise with staff members, Headteacher, Chair of Governors, Clerk to ensure the smooth

running of the complaints procedure.
- Be aware of issues regarding:
    - Sharing third party information.
    - Additional support. This may be needed by complainants when making a complaint including interpretation support.
- Keep secure records.

Clerk to the Governing Body (Stage 3)

The Clerk is the contact point for the complainant and the panel and should:

- Read the complaints procedure set out.
- Ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR).
- Set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend by the Chair of the panel) and that the venue and proceedings are accessible.
- If the complainant is not required to attend, the Clerk will keep the complainant up to date on the process.
- Collate any written material relevant to the complaint (for example, Stage 2 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale.
- Record the proceedings.
- Approve minutes by the Chair of the panel prior to distribution.
- Circulate the minutes of the meeting to all parties at Stage 3.
- Notify all parties involved in Stage 3 in writing of the committee's decision and the reason for that decision.

Panel Chair (Stage 3)

The panel's Chair, who is nominated in advance of the complaint review meeting, should ensure that:

- Both parties are asked (via the Clerk) to provide any additional information relating to the original complaint by a specified date in advance of the meeting.
- The meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy.
- Complainants who may not be used to speaking at such a meeting are put at ease.
- The remit of the panel is explained to the complainant.
- Written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.
- If any new evidence/information arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting to establish its relevance to the initial complaint.
- Both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself.
- The issues are addressed.
- Ky findings of fact are made.
- The committee is open-minded and acts independently.
- No member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure.
- The meeting is minuted and all records stored securely.
- They liaise with the Clerk (and complaints co-ordinator).

Panel Member (Stage 3)

Panel members should be aware that:

- The meeting must be independent and impartial and should be seen to be so. No Governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant.
- Recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour, it may only be possible to establish the facts and make recommendations.
- Many complainants will feel nervous and inhibited in a formal setting and parents/carers often feel emotional when discussing an issue that affects their child.
- Extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting. Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated. The committee should respect the views of the child/young person and give them equal consideration to those of adults. If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.
- Parent/carers should be advised that agreement might not always be possible if the parent/carer wishes the child/young person to attend a part of the meeting that the panel considers is not in the child/young person's best interests.
- The welfare of the child/young person is paramount.
- After the meeting, all excess papers related to the complaint must not leave the premises and must be confidentiality destroyed. Panel members must also delete any excess electronic files related to the complaint.

Complaint campaigns, serial and unreasonable complaints and persistent correspondence

Refer to 'Persistent Complaints Procedure'.

The role of the ESFA

If a complainant remains dissatisfied once the complaint procedure has been completed, they have the right to refer their complaint to the Secretary of State. If a complainant wishes to escalate a complaint, the school will refer them to the relevant contact form, and prompt them to follow the instructions on this form to submit a complaint to the Secretary of State.

The ESFA will not overturn the school or panel's decision about a complaint or re-investigate the original complaint. The ESFA will only intervene following a complaint if it believes the school has:

- Breached a clause in its funding agreement.
- Failed to comply with education law or acted unreasonably when exercising related education functions.

When making a final decision about a complaint, the school reserves the right to seek advice from the ESFA on whether they are acting reasonably and lawfully; however, they will not be able to advise on how to resolve the complaint.

Appendix 1

St. Bede C of E Primary Academy Formal Complaint Form (Stage 2)

Your name: _____

Relationship with school (e.g. parent of a pupil on the school's roll): _____

Pupil's name (if relevant to your complaint): _____

Your address:

Daytime telephone number: _____

Evening telephone number: _____

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: _____

Official use:	
Date form received:	
Received by:	
Date acknowledgment sent:	
By whom:	
Complaint referred to:	
Date:	

Appendix 2

St. Bede C of E Primary Academy Complaint Review Request Form (Stage 3)

Your name: _____ Your address: Daytime telephone number: _____ Evening telephone number: _____
I submitted a formal complaint to the school on ***(insert date)*** and I am dissatisfied by the procedure that has been followed. My complaint was submitted to ***(insert name)*** and I received a response from ***(insert name)*** on ***(insert date)***. 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 think might resolve the problem at this stage?

Signature: _____

Date: _____

Official use:	
Date form received:	
Received by:	
Date acknowledgment sent:	
By whom:	
Complaint referred to:	
Date:	