



COMPLAINTS POLICY

(This CSET Policy applies to all the schools within CSET)

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| DATE OF BOARD APPROVAL | April 2015 |
| REVIEW FREQUENCY | Every two years |
| BOARD REVIEW DUE | April 2017 |
| AUTHOR | Rhona Allgood (CSET Director) |
| FUTURE REVIEWERS | CEO and Chairs LGBs |
| STATUTORY REQUIREMENT | YES |

| AMENDMENTS | SUMMARY OF AMENDMENT | DATE |
|---|--|---------|
| 1 st amendment approved by the Board | Clause 3.5 – “At least one additional member of the Complaints Panel must be independent of the running or management of the school concerned” -at Stage 4 | 15.2.16 |
| 2 nd amendment approved by the Board | | |

1. POLICY AIM AND STATEMENT

- 1.1 The Castle School takes seriously any concern or complaint, as we believe that tackling issues at the earliest possible stage will improve our school, enhance learning, prevent issues escalating and reduce the number of formal complaints.
- 1.2 **Aim:** 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 students' confidence in our ability to safeguard and promote welfare. We will try to resolve every concern or complaint in a positive way with the aim of putting right a matter which may have gone wrong, and where necessary, reviewing our systems and procedures in light of the circumstances.
- 1.3 **Policy Statement:** 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 culture. Parents and students should never feel – or be made to feel that a complaint will be taken amiss or will adversely affect a student or his / her opportunities at the school. The policy however distinguishes between a concern or difficulty which can be resolved informally and a formal complaint which will require investigation.
- 1.4 Castle School Education Trust is committed to safeguarding and promoting the welfare of children, and this policy forms an important part of that commitment. Safeguarding is the process of protecting children from abuse or neglect, preventing impairment of their health and development, and ensuring they are growing up in circumstances consistent with the provision of safe and effective care that enables children to have optimum life chances and enter adulthood successfully.
- 1.5 This policy and associated procedure is compliant with The Education (Independent School Standards) (England) Regulations 2010.

2. IDENTIFYING DIFFERENT TYPES OF COMPLAINT

It is hoped that causes for complaint will be few and most can be dealt with as questions or concerns (**Informal Complaints**) through the normal day-to-day contact with the school. Staff will always be happy to see parents/carers by appointment to discuss concerns at the earliest mutually convenient opportunity.

Where the approach is unsuccessful, **Formal Complaints** should be submitted in writing to the Head Teacher on the Formal Complaint Form in Appendix 2.

If a complaint is about the Head Teacher this should be submitted in writing to Castle School Education Trust (CSET) Executive Head Teacher at the CSET Office, The Partnership Centre on the Marlwood School site.

3. THE PROCESSES FOR SUBMITTING AND DEALING WITH COMPLAINTS

3.1 General

Other than those identified above, complaints should initially be referred to an appropriate member of staff at the school. Complaints received directly by governors, CSET Directors or the local authority that should be dealt with at school level will be re-directed and handled in accordance with this procedure.

3.2 Stage 1 – Informal Complaints

The school shall always, where it is appropriate, encourage the informal resolution of concerns or difficulties. In the case of parents/carers with informal complaints the routes should be:

- **Pastoral Matters** – contact the relevant Tutor, Leader of Student Progress or Assistant Leader of Student Progress
- **Academic Matters** – contact the relevant subject teacher, subject leader or Head of Faculty

In many cases the member of staff will be able to respond and resolve the issue immediately. Where this is not possible, the complainant should expect a response within five school working days or to be informed of a timescale for a response. Where the concern or difficulty cannot immediately be resolved by the first member of staff, other colleagues – including the relevant members of the School Leadership Team and / or Head Teacher – may help to deal with the concern or difficulty and to resolve the issue.

3.3 Stage 2 – Formal Complaints

If a concern or difficulty has not been able to be resolved to the complainant's satisfaction, then the complainant may choose to make a formal complaint. This should be made in writing on the Formal Complaint Form, include full contact details, and be addressed to the Head Teacher at the school address. The complaint will be acknowledged within 5 school working days during term time, indicating the action that will follow and the likely timescales involved. The Head Teacher will arrange for an investigation of the complaint to be carried out, which will aim to gather information from relevant sources to allow a fair conclusion to be made. Once the investigation is completed, the Head Teacher will notify the complainant in writing of the outcome of the investigation, his / her decision and the reason for it.

The Head Teacher's aim would be to inform any complainant of the outcome within 28 school working days from the receipt of the complaint.

A written record of all the complaints received, both informal and formal, to be kept by the school. This record to be reviewed regularly by the Local Governing Body.

3.4 Stage 3 – Referral to the Chair of the Local Governing Body

If a complainant is dissatisfied with the Head Teacher's decision under Stage 2, the complainant should apply in writing to the Chair of the Local Governing Body using the Formal Complaint Form. This should be sent within 5 school working days of receiving the Head Teacher's decision. The Formal Complaint Form to the Chair should set out full details of the complaint, and full contact details. This form would normally be acknowledged within 5 school working days, indicating the action that is being taken and the likely timescale.

The Chair of the Local Governing Body will arrange for any complaint about the Head Teacher's decision to be appropriately investigated and reviewed. She/He will then notify the complainant in writing of his / her decision and the reason for it. She / He will aim to provide a response within 15 school working days of receipt of the complaint.

3.5 Stage 4 – Referral to Directors of Castle School Education Trust

If a complainant is not satisfied with the decision of the Chair of the Local Governing Body, they may ask for the complainant to be referred to a Complaints Panel of

Castle School Education Trust (CSET). This must be done by writing to the Chair of CSET at the CSET Office, The Partnership Centre on the Marlwood School site using the Formal Complaint Form within 5 school working days of the decision being received from the Chair of the Local Governing Body.

The Chair of CSET will then arrange for a minimum of two CSET Directors, who have not previously been involved in investigating or considering the complaint, to review the decision taken by the Head Teacher and the Chair of the Local Governing Body as a Complaints Panel. At least one additional member of the Complaints Panel must be independent of the running or management of the school concerned. The Panel will not consider any new areas of complaint which have not previously been raised as part of the complaints procedure. The complainant will be invited to attend the Panel and can be accompanied. All parties will be informed of the outcome of the Panel in writing within 10 school working days of the hearing.

3.6 Complaints about the Head Teacher

If a formal complaint relates to the Head Teacher, this should be in writing on the Formal Complaint Form, including the full details of the complaint and full contact details. It should be sent to the CSET Executive Head Teacher at the CSET Office, The Partnership Centre on the Marlwood School site. The complaint will be acknowledged within 4 school working days, and the Executive Head Teacher will work with the Chair of the Local Governing Body to investigate as in Stage 3 above.

Appendix 1 Castle School Education Trust Complaints Procedure

This procedure is written to support the Complaints Policy.

Handling Complaints

- A written record will be kept of all complaints received both informal and formal by a school. This record will be regularly reviewed by the Local Governing Body
- All Complaints paperwork will be kept confidential and only shared as required by the procedure or during inspections

Stage 1 – Informal Complaint

All informal complaints to be handled as considered appropriate by the staff involved.

Stage 2 – Formal Complaint to the Head Teacher

- The Head Teacher can:
 - dismiss the complaint completely or in part
 - agree with the complaint completely or in part
 - decide on appropriate action to take to resolve the complaint
 - instigate changes to the school's systems or procedures to avoid a repetition of the issue
- The outcome of the investigation will be shared with:
 - the complainant
 - any person complained about

Stage 3 – Formal Complaint to the Chair of the Local Governing Body

- The Chair can:
 - dismiss the complaint completely or in part
 - uphold the complaint completely or in part
 - agree with action proposed to resolve the complaint or decide on additional action to be taken
 - agree with changes proposed to the school's systems or procedures to avoid a repetition of the issue or decide on additional action to be taken
- The outcome of the investigation will be shared with:
 - the complainant
 - any person complained about
 - Head Teacher

Stage 4 – Formal Complaint heard by the CSET Complaints Panel

- The Panel can:
 - dismiss the complaint completely or in part
 - uphold the complaint completely or in part
 - agree with action proposed to resolve the complaint or decide on additional action to be taken
 - agree with changes proposed to the school's systems or procedures to avoid a repetition of the issue or decide on additional action to be taken
- The parent / carer can be accompanied by a friend or relative at the Panel hearing.
- The findings and recommendations of the Complaints Panel will be shared with:
 - the complainant,
 - any person complained about
 - CSET Chair
 - Executive Head Teacher
 - Head Teacher

- Chair of the Local Governing Body
- The Panel will arrange a Clerk to set up the Panel, handle all paperwork, record the proceedings and notify all parties of the Panel's decision.
- The Panel will be held in private with all parties given the opportunity to state their case and ask questions. The hearing should be as informal as possible.

Raising a complaint with the Education Funding Agency

The Education Funding Agency (EFA) will only consider a complaint after an Academy Trust's own complaints procedure has been exhausted. The EFA cannot review or overturn decisions about complaints made by Academy schools, they can only investigate whether the trust has considered the complaint appropriately. If the EFA finds that the trust did not consider the complaint appropriately it can request that the trust reconsider the complaint.

The EFA will investigate complaints about:

- undue delay or non-compliance with the trust's own complaints procedure
- allegations that the trust has failed to comply with a duty imposed on it under its Funding Agreement with the Secretary of State.
- allegations that the trust has failed to comply with any other legal obligation placed on it, except in cases where there is another body or organisation that is, in the view of the EFA, better placed to consider and, if necessary, take further action in connection with the issue including but not limited to, a Court of Law or other Tribunal of competent jurisdiction, local authorities or other regulatory bodies.

The EFA will not investigate complaints about:

- examination results or curriculum content where a more appropriate form of redress would be the examining body or Ofqual
- consideration of special education needs for an individual student
- matters that are subject of legal action

The EFA will not usually investigate complaints more than 12 months after a school's decision unless the complainant has good reason for the delay in making the complaint. The EFA reserves the right not to investigate complaints considered to be vexatious or malicious or where they are satisfied with the action that the trust has already taken or proposes to take to resolve the complaint.

Complaints to the EFA should be sent to:

- e mail academyquestions@efa.education.gov.uk
- by post to Academies Central Unit (Academy Complaints), EFA, Earlsdon Park, 53-55 Butts Road, Coventry, CV1 3BH

Raising a complaint with Ofsted

Ofsted, the Office for Standards in Education, Children's Services and Skills, also has a role in investigating complaints about the work of a school as a whole eg. quality of education, pupils' achievement, school management and leadership, pupils well-being etc. Complaints concerning individual students cannot be considered. It can consider complaints about a school from parents / carers of students registered at the school.

Appendix 2**The Castle School Formal Complaint Form**

Please complete and return to the Head Teacher / Chair of Local Governing Body / Chair of CSET / Executive Head Teacher (delete as appropriate) who will acknowledge receipt and explain what action will be taken.

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| Your name: |
| Student's name: |
| Your relationship to the student: |
| Address: |
| Day time telephone number: |
| Evening telephone number: |
| Mobile phone number: |
| E mail address: |
| Please give the details of your complaint: |

What action, if any, have you already taken to try to resolve your complaint. Who did you speak to and what was the response?

What actions do you feel might resolve the problem at this stage?

Are you attaching any supporting paperwork? If so please give details.

Signature:

Date: