

# EAST MIDLANDS EDUCATION TRUST

## Complaints Policy



East Midlands  
Education Trust

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## COMPLAINTS POLICY

This policy applies to **all complaints** by parents or guardians of pupils currently attending the school made against the school (except in relation to admissions, exclusions and child protection allegations which have their own processes) which have been raised with the school as a matter of concern but which have not been capable of informal resolution and which the complainant or the school consider should be dealt with on a formal basis. Complaints by people other than parents (excluding employees) will be dealt with at the discretion of the head teacher/principal and in a manner determined by the head teacher/principal. There is no recourse to governors for such complaints.

The school expects that before seeking to use this formal policy the complainant:

- a) will have raised the matter with the pupil's pastoral or other relevant staff, if the matter relates to a pupil;
- b) will have made reasonable attempts to seek an informal resolution.

The Chair of Governors shall have a discretion, which will be exercised reasonably, not to allow a complaint to be pursued where this precondition has not been met.

All complaints about members of staff, including the Principal, will be considered within the context of the school and Trust published policies. No individual member of staff, the Principal or governor can uphold a complaint which runs contrary to these published policies. If an individual member of staff or governor wishes to uphold a complaint which runs contrary to published policies then the recommendation must be referred to the relevant body for consideration and, if upheld, possible policy change.

### First stage of the Formal Procedure

1. The Complainant must put the complaint in writing using the school's complaints form (attached at Appendix 1) unless the complainant has a disability which prevents this, in which case the complainant may contact the School Office for assistance. The complaint should be addressed to the Clerk to the Local Governing Body, c/o the school.
2. The Clerk will acknowledge receipt of the complaint by letter/email.
3. An investigation of the complaint will be carried out by a senior member of staff or another nominated person. This will be the investigating officer.
4. If it is felt appropriate or necessary, the investigating officer will discuss the matter with the complainant. This may be during a meeting or on the telephone. Whenever reasonably possible such discussion will take place within 15 school days of the complaint being received.
5. The investigating officer will then put his or her findings in writing and indicate what steps, if any, should be taken to resolve the matter. Whenever reasonably possible this will be done within 15 school days of the discussion with the complainant at 4 above but no later than 30 school days of receipt of the formal complaint.

## **Second Stage of the Formal Procedure**

1. If the complainant is not satisfied with the outcome of the first stage, she/he may request that the complaint be reviewed. Such a request should be in writing addressed to the Clerk to the Governors.
2. The Principal will appoint a senior member of the leadership team to undertake this review.
3. The senior member of staff will report his/her findings to the Parent within 15 school days of receipt of the written request to use the Second Stage. These findings should indicate a view of any steps, which should be taken to help resolve the issue.

## **Third Stage of the Formal Procedure**

1. If the complainant is not satisfied with the outcome of the second stage, she/he may request that the complaint be reviewed by the Principal. Such a request should be in writing addressed to the Clerk to the Governors.
2. The Principal will undertake this review unless the complaint is about a decision which has been made by the Principal. In this instance the Principal will invite a governor with delegated authority to deal with complaints to review his/her decision.
3. The Principal (or governor) will report his/her findings to the Parent within 15 school days of receipt of the written request to use the third Stage. These findings should indicate a view of any steps which should be taken to help resolve the issue.

## **Fourth Stage of the Formal Procedure**

1. If the complainant is not satisfied with the outcome of the first, second and third stages, the complainant may request that the complaint be considered by the Complaints Panel of the Local Governing Body which will comprise two members of the Board of Governors who have not previously been involved in the complaint, and one person independent of the management and running of the School.
2. A request to use the fourth stage must be in writing, addressed to the Clerk to the Governors at the School, within 10 school days of the response being sent to the complainant and must set out briefly the reasons why the complainant is dissatisfied with the response.
3. The Clerk will invite the school to put in writing its response to the complainant's reasons. The school will do this within 15 school days and at the end of that period (whether or not the school has responded) the Clerk will convene a meeting of the Complaints Panel of the Governing Body. That meeting will be held as quickly as practicable given the need to find a date that is reasonably convenient for the complainant, the school and the members of the Panel. Whenever possible, the meeting will be held within 30 school days of receipt of the written request for this fourth stage. At any meeting, the complainant will be entitled to be accompanied.

4. The following are entitled to attend the Panel meeting, submit written representations and address the Panel:
  - a) The parent/s and/or one companion;
  - b) The Principal of the school and/or one companion; and
  - c) Any other interested person whom the Complaints Panel considers to have a reasonable and just interest in the appeal and whose contribution would assist the Panel in their decision-making.
5. The chair of the panel will decide in advance if all parties are to be present at the same time or, given the nature of the complaint, if it is best that evidence from each party is heard separately.
6. The Panel may make findings and recommendations and a copy of those findings and recommendations will be
  - (i) sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about
  - (ii) available for inspection on the School premises by the School Trust and the Principal
7. The Panel will formulate its response as quickly as reasonably possible, aiming to do so within 10 school days of the meeting, and the Clerk to the Governors will notify all concerned.
8. A written record will be kept of all complaints for one year, and of whether they are resolved at the first stage or proceed to a panel hearing
9. Correspondence, statements and records relating to individual complaints will be kept confidential except where the School is otherwise required by law to disclose them.

If the complainant is not satisfied with the outcome of this final stage then they have the right to complain about the school to the Secretary of State. These are handled on his/her behalf by the Education funding Skills Agency (EFSA) and the procedure for complaining and the grounds for doing so, are outlined in their document entitled 'Procedure for dealing with complaints about academies' a copy of which can be found on the DfE website or obtained from the school via the Clerk to governors.

Policy reviewed by : Trustees  
Review date : Summer 2017  
Next review : Summer 2020

[school name: ]

### Complaints Form

Please complete and return this form to the Principal.

Please ensure that you have made every effort to informally resolve your complaint with the relevant staff member(s) before completing this form (this could be the subject teacher, head of department or your child's Head of Year).

NAME OF COMPLAINANT:

NAME OF STUDENT:

Your relationship with the student:

ADDRESS:

Postcode:

Daytime telephone number:

Email address:

Please give a summary of the key aspects of your complaint:

What do you seek as a resolution of your complaint?

Date:

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