

# Scholars' Education Trust

<b>POLICY TITLE:</b>	<b>COMPLAINTS</b>
<b>STATUS</b>	<b>STATUTORY</b>
<b>REVIEWED BY:</b>	<b>TRUST BOARD</b>
<b>DATE DUE:</b>	<b>SUMMER 2019</b>
<b>DATE OF APPROVAL:</b>	<b>22 May 2019</b>
<b>NEXT REVIEW:</b>	<b>SUMMER 2023</b>

**LEAD RESPONSIBILITY: Chief Operations Officer**

---

Governors are responsible in law for having a published complaints procedure and for responding to complaints. The Trust is clear that there is a difference between a concern and a formal complaint. Taking concerns and complaints seriously at the earliest stage will reduce the numbers that develop into formal complaints. Complaints must be made within 3 months of the event happening or, where a series of associated incidents have occurred, within 3 months of the last of these incidents. We are unable to accept a formal complaint concerning a student who has left the school roll for 3 months or more. We will consider complaints made outside of term time to have been received on the first school day after the holiday period. The Trust will not generally deal with concerns or complaints that are raised anonymously. However, the Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

## **Aims**

- Encourage resolution of problems by informal means wherever possible
- Be easily accessible and publicised
- Be simple to understand and use
- Be impartial
- Be non-adversarial
- Allow swift handling with established time limits for action and keeping people informed of the progress
- Ensure a full and fair investigation by an independent person where necessary
- Respect people's desire for confidentiality
- Address all the points at issue and provide an effective response and appropriate redress where necessary
- Provide information to the school/academy senior leadership team so that services can be improved

## **Informal**

Most concerns or complaints can be resolved by talking to the member of school/academy staff concerned. If there is something you are not happy about or you do not understand why the school/academy is doing something in a particular way, please make contact and discuss it with the teacher or another member of staff. The school/academy can tell you who you should speak to first. If your child has Special Educational Needs (SEN) you might find it helpful to talk to the Special Educational Needs Coordinator (SENCo) at the school/academy.

We hope that most concerns and complaints can be settled quickly and informally, either offering one or more of the following:

- an explanation
- an apology
- an admission that the situation could have been handled differently or better
- an assurance that 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 policies in light of the complaint

If the matter is not resolved through this informal process you should be directed to the formal complaints procedure set out below.

You have the right to expect that:

**The person investigating a complaint will in either stage:**

- Establish what has happened so far and who has been involved
- Clarify the nature of the complaint and what remains unresolved
- Meet with the complainant or contact them (if unsure or further information is necessary)
- Clarify what the complainant feels would put things right
- Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- Conduct the interview with an open mind and be prepared to persist in the questioning
- Keep notes of the interview

**The school/academy will in either stage:**

- Deal with the complaint honestly, politely and in confidence
- Investigate the complaint thoroughly and fairly
- Assess the level of urgency and deal with the complaint accordingly
- Provide updates on progress at each stage
- Offer an apology if a mistake has been made
- Advise the actions taken to put things right
- Provide a full and clear written reply to a formal complaint within 28 days

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

**Formal Stage 1**

If your complaint isn't resolved by speaking to a member of staff informally, you should write to the Headteacher. Your complaint will be logged and acknowledged within 5 school days.

The Headteacher will aim to meet you within 10 school days to discuss your complaint. The Headteacher will inform you of the outcome of the investigation as soon as possible and in most cases will also report on the action the school had taken to resolve the issue. The aim will be to resolve the matter as speedily as possible.

*Note: The Headteacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.*

If the complaint is about the Headteacher, or a member of the governing body (including the Chair or Vice-Chair), a suitable skilled governor will be appointed to complete all actions at Stage 1.

Complaints about the Headteacher or member of the governing body must be made to the Clerk, via the school office. Please mark them as Private and confidential.

### **Formal Stage 2**

If you are not satisfied with the outcome of the Stage 1 process you should put your complaint in writing to the school/academy Chair of Governors, via the Clerk to the Governing Body;

c/o Sir John Lawes School, Manland Way, Harpenden, AL5 4QP

c/o Samuel Ryder Academy, Drakes Drive, St Albans, AL1 5AR

c/o Robert Barclay Academy, Cock Lane, Hoddesdon, Herts EN11 8JY

c/o Harpenden Academy, Vaughan Road, Harpenden, Herts AL5 4EN

c/o Priory Academy, Britain Street, Dunstable, Bedfordshire LU5 4JA

The Clerk will record the date the complaint is received and acknowledged receipt of the complaint in writing (either by letter or email) with 5 school days.

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 28 school days of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk 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.

The Panel will consist of three Governors, two of whom have not been directly involved in the matter detailed in the complaint and one of whom must be independent of the school/academy. The process will allow you to attend the hearing and be accompanied if you wish. The hearing will take place within 28 school days of receipt of the written complaint to the Chair of Governors or Trustee.

All parties will be notified of the Panel's decision in writing within 3 school days after the date of the hearing.

### **Taking the matter further**

The Governors' Panel is the last school/academy-based stage of the complaints process. Academies operate independently from the Local Authority and as such the LA is unable to investigate complaints. This includes complaints about SEN provision, national curriculum and collective worship.

If you have a complaint about an academy or school, which is not satisfactorily resolved through this complaints policy, you should:

- contact the Department for Education online at [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus), by telephone on: 0370 000 2288 or by writing to:

Department for Education  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD

The DfE will not overturn a school/academy decision about a complaint but will investigate whether the complaint has been dealt with properly and that the process met the requirements set out in the Regulations.

### **Recording complaints**

The school/academy will maintain a log of all formal complaints received. A full written record of the progress and final outcomes of all complaints will be maintained.

### **Monitoring**

The Trust will monitor and review the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes were necessary.

Complaints information shared with the Trust will not name individuals.

As well as addressing an individual's complaint, the process of listening to and resolving complaints will contribute to the school's/academy's improvements. When individual complaints are heard, the school/academy will identify underlying issues that need to be addressed. The monitoring and review of complaints by the school and the Trust will be used as a tool to evaluate the school's performance.

Equalities impact assessment considered