



# Complaints Procedure

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This version effective from

18<sup>th</sup> November 2024

## **1. Aims and application**

- 1.1. The aims of the procedure are to deal with complaints and concerns about a school, the Trust, or any individual connected with it, by following the correct procedure thoroughly and in an open, honest and fair manner.
- 1.2. This complaints procedure is not limited to parents or carers of children who are registered at one of the schools within the trust. Any person, including members of the public, may make a complaint to an individual school within the trust, or the trust itself, about any provision of facilities or services that we provide. Part 1 of this policy outlines how parents/carers of registered [pupils/students] currently attending schools within the trust can raise a concern or complaint. Concerns or complaints

- 2.3. The trust encourages parents to approach the school with any concerns and refrain from airing concerns about the school and its staff on social media sites. Posting negative comments on social media can cause damage and upset and is often counterproductive to pupil education.
- 2.4. To investigate your complaint properly and fairly, we have implemented a staged approach. We anticipate that almost all complaints that arise will be resolved at Stage 1 or Stage 2 outlined below.
- 2.5. We expect our members of staff to be addressed in a respectful manner and for communication to remain calm at all times. The procedure under Part 3 will only be used on very rare occasions to deal with unreasonably persistent complainants or unreasonable complainant behaviour.
- 2.6. Concerns or complaints should be brought to our attention as soon as possible. Any matter raised more than 3 months after the incident being complained of (or, where a series of associated incidents have occurred, within 3 calendar months of the last of these incidents) will not be considered unless the Headteacher accepts that there are exceptional circumstances to justify accepting the complaint out of time.
- 2.7. Where a complaint is received outside of term time, we will consider it to have been received on the first school day following the holiday period.
- 2.8. On rare occasions a school may receive complaints from a number of parents relating to the same issue. In order to deal with these complaints efficiently the school will follow the procedure set out in Part 4.
- 2.9. If it becomes necessary to alter the time limits and deadlines set out within this procedure, you will be advised accordingly and given an explanation as to why this has been the case and provided with revised timescales. If other bodies are investigating aspects of the complaint, for example the police, local authority safeguarding teams or tribunals/courts, 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. Where a complaint is raised but we do not have clarity from the complainant on the issues and/or desired outcomes, we will inform the complainant what information we need to progress the complaint and pause this procedure until reasonable clarity is achieved.
- 2.10. Complainants should not approach individual community councillors or trustees to raise concerns or complaints. They have no power to act on an individual basis and it may prevent them from considering complaints at later stages.
- 2.11. If a complainant commences legal action against the trust in relation to their complaint, we will consider whether it would be appropriate to suspend the complaints procedure until those legal proceedings have concluded.

We will make the findings and recommendations of the panel available for inspection by the Trust and the Headteacher.



date for providing a response to the complaint. This will normally be within 15 school days of receipt.

- 2.4. If appropriate, the Headteacher (or someone appointed by them) may invite you to a meeting to clarify your complaints and to explore possible resolutions. If you accept that invitation, you may be accompanied by one other person, such as a friend, relative, advocate or interpreter, to assist you. Where possible, this meeting will take place within 10 school days of receipt of the written complaint.
- 2.5. If necessary, witnesses will be interviewed and statements taken from those involved. If the complaint centres on the pupil, the pupil should also be interviewed. Pupils should normally be interviewed with their parent present, but if this would seriously delay the investigation of a serious or urgent complaint or if the pupil has specifically said that s/he would prefer that their parents were not involved, another member of staff with whom the pupil feels comfortable should be present. If the matter includes a complaint relating to a member of staff, the member of staff must have the opportunity to respond to the complaint.
- 2.6. Once the relevant facts have been established as far as possible, you will be provided with a written response to the complaint, including an explanation of the decision and the reasons for it. This will include what action will be taken to resolve the complaint (if any). You will be advised that if you are dissatisfied with the outcome of the complaint, you may request that your complaint be heard by the Complaints Committee under Stage 3 of this procedure.
- 2.7.

### **3. Stage 3: Referral to the Complaints Committee**

- 3.1. If you are dissatisfied with the decision under Stage 2, you may request that a Complaints Committee be convened to consider your complaint. The Complaints Committee will principally consider how the complaint was handled at the previous stages but has discretion to review other aspects of the complaint as it sees fit. The Complaints Committee will not review any new complaints at this stage or consider evidence unrelated to the initial complaint. New complaints must be dealt with from Stage 1 of the procedure.
- 3.2. To request a hearing before the Complaints Committee, you should write to the Clerk to the Trustees c/o Worle Community School, Redwing Drive, Weston- super-Mare. BS22 8XX within 15 school days of receiving notice of the outcome of Stage 2. Requests received outside of this time frame will only be considered if exceptional circumstances apply. You should ensure that you provide copies of all relevant documents and state all the grounds for your complaint and the outcome that you are looking for.
- 3.3. Your written request will be acknowledged within 5 school days of receipt.
- 3.4. The Clerk will arrange for a Complaints Committee to be convened, made up of at least three members, including:
  - members of a community council and/or trustees of the school trust (as appropriate) with no prior involvement in the matter
  - one person who is independent of the management and running of the school (for example, this might be a Community Councillor from another school within the trust, a governor from another local school/college or an educational professional who has no link to the school)The Clerk shall appoint one of these members to be the Chair of the Committee.
- 3.5. Every effort will be made to enable the hearing to take place within 20 school days of the receipt of your request. As soon as reasonably practicable and in any event at least 5 school days





### 5.1. The role of the Clerk

The Clerk is the contact point for the complainant and the Complaints Committee, and should:

- ensure that the complainant is fully updated at each stage of the procedure;
- liaise with staff, Headteacher, CEO and Chair of the trustee board to ensure the smooth running of the complaints procedure;
- be mindful of the timescales to respond to complaints;
- 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)
- ensure that the Complaints Committee has access to legal advice, where appropriate;
- set the date, time and venue of the meeting, taking reasonable steps to find a date that is convenient to all parties and that the venue and proceedings are accessible;
- collate any written material relevant to the complaint (for example: stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale;
- minute the meeting;
- notify all parties of the Complaint Committee's decision;
- assist the academy/trust in issuing a summary letter to the complainant.

### 5.2. The role of the Headteacher (or other party investigating as applicable in accordance with the procedure) at Stage 2

- to ensure that the complainant is fully updated at each stage of the procedure;
- to ensure that the correct procedure has been followed;
- to ensure that an investigation is carried out, and a report compiled
- to meet the complainant, if appropriate;
- if the complaint is being referred to Stage Three, notify the clerk to arrange the Complaints Committee.

### 5.3. The role of the Chair of the Complaints Committee

The Chair of the Complaints Committee has a key role, ensuring that:

- 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. This is particularly important if the complainant is a child;
- the remit of the Complaints Committee is explained to the complainant;
- the 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);
- key findings of fact are made, and that any issues not previously mentioned in writing should not be raised at the meeting and, if they are mentioned at the meeting, these should not be noted or considered by the Complaints Committee;
- both the complainant and the school/trust 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 Complaints Committee is open-minded, acts independently and no Complaints Committee member has an external interest in the outcome or any involvement in an earlier stage of the procedure;
- the meeting is minuted.

## **6. Part 2: Concerns or complaints from other persons**

Part 1 of this Complaints Procedure applies only to complaints made by parents or carers of current registered pupils of schools within the Trust. However, the Trust wishes to work closely with other members of the local community and will deal with their concerns and complaints as follows:



### **7.3. Complaints pursued in an otherwise unreasonable manner**

Where the complainant's behaviour or language towards staff, councillors, trustees or members is aggressive, abusive, offensive, discriminatory or threatening or insulting personal comments are made about, or threats are made towards, staff.

In the circumstances outlined above, we may:

- inform the complainant that we consider their complaint to be vexatious or the manner in which they are pursuing their complaint to be unreasonable and why, and ask them to desist;
- conduct the Complaints Committee on the papers only i.e. not hold a hearing;
- refuse to consider the complaint any further and refer the complainant directly to Stage 4.

## **Annex 1**

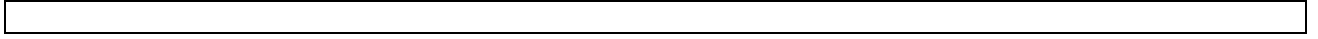
### **Matters excluded from scope of this procedure**

<b>Excluded Matters</b>	<b>Signposting</b>
Admissions	The process for challenging admissions decisions is set out in our admissions policy in accordance with relevant statutory guidance.
Child protection matters	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 or the Multi-

## **Annex 2**

### **Complaints Form**

<b>Your name:</b>
<b>Your relationship to pupil:</b>
<b>Your address and postcode:</b>
<b>Your daytime telephone number:</b>
<b>Your evening telephone number:</b>
<b>Your email address:</b>
<b>Your complaint is: (if you have more than one complaint, please number these)</b>
<b>What action have you already taken to try and resolve your complaint(s) in accordance with Stage 1 of the complaints procedure?</b> (Who did you speak to and what was the response?)
<b>What would you like as an outcome from your complaint(s)?</b>



### **Annex 3**

#### **Summary of Complaints Procedure for Parents & Carers (Part 1)**

<b>Stage 1: Informal concerns</b>	Parent brings complaint to attention of member of staff
	Issue to be resolved within 15 school days
	Where no satisfactory solution has been found, parent to be advised that they should proceed to Stage 2

