Complaints Policy

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Policy Owner:	Steph Roberts

Table of Changes Made Since Last Version

Paragraph	Summary of Change/s

Glossary of Abbreviations and Acronyms used in this Policy

Abbreviation/Acronym	Meaning
DfE	Department for Education
SEN	Special Education Needs
SEND	Special Educational Needs and Disabilities
CEO	Chief Executive Officer
FOI	Freedom of Information

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1. Aims

1.1. Our trust aims to meet its statutory obligations when responding to complaints from parents/carers/ of students at the school, and others.

1.2. When responding to complaints, we aim to:

1.2.1. Be impartial and non-adversarial
1.2.2. Facilitate a full and fair investigation by an independent person or panel, where necessary
1.2.3. Address all the points at issue and provide an effective and prompt response
1.2.4. Treat complainants with respect
1.2.5. Keep complainants informed of the progress of the complaints process
1.2.6. Consider how the complaint can feed into school and trust improvement evaluation processes

1.3. We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

1.4. The trust will aim to give the complainant the opportunity to complete the complaints procedure in full.

1.5. To support this, we will ensure we publicise the existence of this policy and make it available on our website, and on the websites of our schools.

2. Legislation and Guidance

2.1. This document meets the requirements set out in part 7 of the schedule to the Education (Independent School Standards) Regulations 2014, which states that we must have and make available a written procedure to deal with complaints from parents/carers/carers of students in our trust.

2.1 It is also based on guidance published by the Department for Education (DfE) on creating a complaints procedure that complies with the above regulations and refers to good practice guidance on setting up complaints procedures from the DfE.

3. Definitions and Scope

3.1. The DfE guidance explains the difference between a concern and a complaint:

3.1.1. A concern is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”.
3.1.2. A complaint is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”.
3.1.3. The trust intends to resolve complaints informally where possible, at the earliest possible stage.

3.1.4. There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

3.2. This policy does not cover complaints procedures relating to:

3.2.1. Admissions
3.2.2. Statutory assessments of special educational needs (SEN)
3.2.3. Permanent Exclusion
3.2.4. Whistleblowing
3.2.5. Staff grievances
3.2.6. Staff discipline

3.3. Please see our separate policies for procedures relating to these types of complaint.

3.4. Arrangements for handling complaints from parents/carers of children with SEN about a school's support are within the scope of this policy. Such complaints should first be made to:

3.4.1. Chris Meadway (Complaints Coordinator, Southfield School);
3.4.2. Simon Clark, (Complaints Coordinator, Kingsthorpe College);
3.4.3. Felicity Sinclair (Complaints Coordinator, Hunsbury Park Primary School)

3.5. They will then be referred to this complaints policy. Our SEND Policy includes information about the rights of parents/carers of students with disabilities who believe that our trust, or a school within our trust, has discriminated against their child.

3.6. Complaints about services provided by other providers who use trust premises or facilities should be directed to the provider concerned.

4. Roles and Responsibilities

4.1. The investigator

4.1.1. An individual will be appointed to look into the complaint and establish the facts. They will:

4.1.1.1. Interview all relevant parties, keeping notes
4.1.1.2. Consider records and any written evidence and keep these securely
4.1.1.3. Prepare a comprehensive report to the Headteacher or complaints panel which includes the facts and potential solutions.

4.2. Clerk to the local governing body and trust board

4.2.1. The clerk will:

4.2.1.1. Be the contact point for the complainant and the complaints panel, including circulating the relevant papers and evidence before complaints committee meetings
4.2.1.2. Arrange the complaints hearing

4.2.1.3. Record and circulate the minutes and outcome of the hearing

4.3. Complaint Panel Chair

4.3.1. The complaint panel chair will:

4.3.1.1. Chair the meeting, ensuring that everyone is treated with respect throughout

4.3.1.2. Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case

5. Principles for Investigation

5.1. When investigating a complaint, we will try to clarify:

5.1.1. What has happened

5.1.2. Who was involved

5.1.3. What the complainant feels would put things right

5.2. We also intend to address complaints as quickly as possible. To achieve this, realistic and reasonable time limits will be set for each action within each stage.

5.3. Where further investigations are necessary, new time limits will be set, and the complainant will be sent details of the new deadline with an explanation for the delay.

5.4. The trust expects that complaints will be made as soon as possible after an incident arises, and no later than 3 months afterwards. We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

6. Summary of Complaints Procedure

6.1. We have adopted a 4-stage process for dealing with complaints:

6.1.1. Stage 1 – informal resolution

6.1.2. Stage 2 – formal investigation

6.1.3. Stage 3 – local governing body panel hearing

6.1.4. Stage 4 – review by the trust board

6.2. Stage 1 – Informal Resolution

6.2.1. The trust will take informal concerns seriously and make every effort to resolve that matter quickly.

6.2.2. The complainant should raise the complaint as soon as possible with the relevant member of school staff or the nominated school complaints coordinator, either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact their school office.

6.2.3. The school will acknowledge informal complaints within five working days, and provide a response within ten working days, unless this is a complex complaint, that will require more time for a thorough investigation and appropriate response.

6.2.4. The informal stage may involve:

6.2.4.1. A meeting between the complainant and the nominated school complaints coordinator
6.2.4.2. Provision of additional information or clarification
6.2.4.3. Amendments to provision or practice
6.2.4.4. Provision of additional support or guidance
6.2.4.5. Mediation
6.2.4.6. Conflict resolution

6.2.5. If the complaint is not resolved informally, it will be escalated to a formal complaint.

6.3. Stage 2: Formal Investigation

6.3.1. The formal stage involves the complainant putting the complaint into writing. This letter should provide details such as:

6.3.1.1. Relevant dates and times
6.3.1.2. The names of witnesses of events
6.3.1.3. What the complainant feels would resolve the complaint

6.3.2. The letter should be submitted alongside copies of any relevant documents.

6.3.3. Addressing your complaint:

6.3.3.1. Complaints not involving the Headteacher or a member of the local governing body should be directed to the nominated school complaints coordinator. This can be done by:

6.3.3.1.1. Email: sltadmin@southfieldsch.co.uk (Southfield School)
6.3.3.1.2. Email: Lisa.Deszczinski@kingsthorpecollege.org.uk (Kingsthorpe College)
6.3.3.1.3. Email: office@hunsburypark.org (Hunsbury Park Primary School)
6.3.3.1.4. Letter addressed to the complaint's coordinator, delivered to the school office

6.3.3.2. Complaints involving the Headteacher or a member of the local governing body should be directed to the chair of the local governing board. This can be done by:

6.3.3.2.1. Email: Chair of Local Governing Board (Southfield School/Kingsthorpe College/Hunsbury Park Primary School)
6.3.3.2.2. Southfield School: chairoflgb@southfieldsch.co.uk
6.3.3.2.3. Kingsthorpe College: chairoflgb@kingsthorpecollege.org.uk
6.3.3.2.4. Hunsbury Park Primary School: ssahota@hunsburypark.org

6.3.3.2.5. Letter addressed to the chair of the local governing board, delivered to the school office.

6.3.3.3. Complaints involving the chair of the local governing board should be directed to the [chair of the board of trustees]. This can be done by:

6.3.3.3.1. Email: clerktotrust@orbismat.com
6.3.3.3.2. Letter: Chair of Trust Board, Orbis Education Trust, Southfield School, Lewis Road, Kettering, Northamptonshire, NN15 6HE.

6.3.3.4. If you are not sure where to address your complaint, contact the school office.

6.3.4. Investigation

6.3.4.1. The complainant will receive written acknowledgement of their complaint within five working days.
6.3.4.2. The investigating officer (such as the Headteacher or the chair of the local governing body) will then conduct their own investigation. The investigation may include:

6.3.4.2.1. Reviews of relevant documents
6.3.4.2.2. Interviews with students, parents/carers, staff and other involved parties

6.3.4.3. The written conclusion of this investigation will be sent to the complainant within fifteen working days, unless this is a complex complaint, that will require more time for a thorough investigation and appropriate response.
6.3.4.4. If the complainant is not satisfied with the response and wishes to proceed to the next stage of this procedure, they should inform the investigating officer in writing within five working days.

6.4. Stage 3: Local Governing Body Panel Hearing

6.4.1. Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at the second, formal, stage.

6.4.2. The panel will be appointed by or on behalf of the trust and must consist of at least 3 people who were not directly involved in the matters detailed in the complaint. At least 1 panel member must be independent of the management and running of the school.

6.4.3. The panel cannot be made up solely of local governing body members, as they are not independent of the management and running of the school.

6.4.4. The panel will have access to the existing record of the complaint's progress (see section entitled 'Record Keeping' below). The local governing body is responsible for ensuring that the panel is properly minuted.

6.4.5. The complainant must be notified of the date, time and location of the review panel at least ten working days in advance. However, the review panel reserves the right to convene at their convenience rather than that of the complainant.

6.4.6. At the review panel hearing, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

6.4.7. The complainant is allowed to attend the panel hearing and be accompanied if they wish. This is not a legal proceeding. As such, the trust will not bring a solicitor/barrister to the meeting and nor can the complainant.

6.4.8. At the hearing, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.

6.4.9. The panel, the complainant and the school representative(s) will be given the chance to ask and reply to questions. Once the complainant and school representative(s) have presented their cases, they will be asked to leave, and evidence will then be considered.

6.4.10. The panel must then put together its findings and recommendations from the case. The panel will also provide a copy of the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the trust and Headteacher.

6.4.11. The panel will inform those involved of the decision in writing within five working days.

6.5. Stage 4: Review By the Trust Board

6.5.1. Where the school-based complaints procedure has been completed, and the complainant does not feel their complaint has been addressed to their satisfaction, they may contact the trust in writing to request a review of the complaint investigation.

6.5.2. They can do this by:

6.5.2.1. Email: clerktotrust@orbismat.com

6.5.2.2. Post: Chair of Trust Board, Orbis Education Trust, Southfield School, Lewis Road, Kettering, Northamptonshire, NN15 6HE.

6.5.3. The written request should include a summary of the complaint, along with any relevant dates, times and evidence.

6.5.4. The trust will only investigate complaints where:

6.5.4.1. The school did not comply with the complaint's procedure

6.5.4.2. The school or trust's complaints procedure does not comply with statutory requirements

6.5.4.3. The school has failed to comply with a duty imposed under its funding agreement

6.5.5. The trust cannot overturn decisions on complaints made during the school's complaints procedure. However, it can assess whether the school considered the complaint appropriately.

6.5.6. If it is found that the school did not address a complaint appropriately, or that statutory requirements were not met, the trust will require the complaint to be reconsidered within ten working days. This also applies where adjustments must be made to the complaints procedure to bring it in line with statutory requirements.

6.5.7. Investigation

6.5.7.1. Where a complaint is raised with the trust, the trust's investigating officer will acknowledge the complaint in writing within five working days.

6.5.7.2. The school will be asked to provide the following within ten working days, unless this is a complex complaint, that will require more time for a thorough investigation and appropriate response:

6.5.7.2.1. A copy of its complaint's procedures

6.5.7.2.2. Details of other relevant policies and procedures

6.5.7.2.3. An explanation of how each stage of the complaint's procedure has been followed 16.1.4 A response to the complaint, including relevant documents and correspondence

6.5.7.3. The investigating officer will provide a written response to the complaint within ten working days, unless this is a complex complaint, that will require more time for a thorough investigation and appropriate response.

7. Complaints About the Trust or Central Staff

7.1. We use a 3-step process for addressing complaints made about the trust as a whole, or against central staff:

7.1.1. Stage 1 – informal resolution

7.1.2. Stage 2 – formal investigation

7.1.3. Stage 3 – trust board panel hearing

7.2. Stage 1: Informal Resolution

7.2.1. We make every effort to address any concerns or complaints early through informal measures.

7.2.2. The complainant should raise any concerns as soon as possible with the relevant member of the trust's central team, or the CEO.

7.2.3. If the concern regards the CEO, the complainant should contact the chair of the board of trustees.

7.2.4. If the complainant is unsure who to contact, or needs to contact the chair of the board of trustees, they should contact the trust office:

7.2.4.1. Email: clerktotrust@orbismat.com

7.2.4.2. Post: Chair of Trust Board, Orbis Education Trust, Southfield School, Lewis Road, Kettering, Northamptonshire, NN15 6HE.

7.2.5. The process for responding to and investigating an informal complaint about the trust or central staff is the same as that set out in section 7.

7.3. Stage 2: Formal Investigation

7.3.1. If the complaint is not resolved satisfactorily at the informal stage, the complainant must submit a formal complaint in writing.

7.3.2. The complainant will receive written acknowledgement of their complaint within five working days.

7.3.3. The investigating officer will then conduct an investigation, in line with the process set out in section 8 above, providing a written response to the complainant within fifteen working days, unless this is a complex complaint, that will require more time for a thorough investigation and appropriate response.

7.4. Stage 3: Trust Board Panel Hearing

7.4.1. Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at the second, formal, stage.

7.4.2. A panel will be appointed by the trust, and will consist of 3 members of the board not involved in investigating the complaint in the formal stage.

7.4.3. The complainant must be notified of the date, time, and location of the review panel at least five working days in advance. However, the review panel reserves the right to convene at their convenience rather than that of the complainant.

7.4.4. The complainant and representatives from the trust, as appropriate, will be present at the panel hearing. Each will have an opportunity to set out written or oral submissions prior to the meeting.

7.4.5. The complainant must be allowed to attend the panel hearing and be accompanied if they wish. This is not a legal proceeding. As such, the trust will not bring a solicitor/barrister to the meeting and nor can the complainant.

7.4.6. The board will ensure that the hearing is properly minuted.

7.4.7. At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.

7.4.8. The panel, the complainant and the trust representative(s) will be given the chance to ask and reply to questions. Once the complainant and trust representative(s) have presented their cases, they will be asked to leave and evidence will then be considered.

7.4.9. The panel must then put together its findings and recommendations from the case. The panel will also provide a copy of the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the trust.

7.4.10. The panel will inform those involved of the decision in writing within five working days.

8. Referring Complaints on Completion of the School and Trust Procedures

8.1. If the complainant is unsatisfied with the outcome of the school or trust complaints procedure, they can refer their complaint to the DfE. The DfE will check whether the complaint has been dealt with properly. The DfE will not overturn the school or trust's decision about a complaint. However, it will look into:

8.1.1. Whether there was undue delay, or the school or trust did not comply with its own complaints procedure

8.1.2. Whether the trust was in breach of its funding agreement with the secretary of state

8.1.3. Whether the trust has failed to comply with any other legal obligation

8.2. If the complaint was not dealt with properly, the school or trust will be asked to reinvestigate the complaint. If the complaints procedure is found not to meet regulations, the trust will be asked to correct its procedure accordingly.

8.3. For more information or to refer a complaint, see the following webpage:

8.3.1. https://www.gov.uk/complain-about-school

9. Persistent Complaints

9.1. Where a complainant tries to re-open the issue with the school or trust after the complaints procedure has been fully exhausted and the school or trust has done everything it reasonably can in response to the complaint, the chair of the local governing body or the chair of the board of trustees will inform the complainant that the matter is closed.

9.2. If the complainant subsequently contacts the school or trust again about the same issue, the school or trust can choose not to respond. The normal circumstance in which the school or trust will not respond is if:

9.2.1. The school or trust has taken every reasonable step to address the complainant's needs, and

9.2.2. The complainant has been given a clear statement of the school or trust's position and their options (if any), and

9.2.3. The complainant is contacting the school or trust repeatedly but making substantially the same points each time

9.3. However, this list is not intended to be exhaustive.

9.4. The school or trust will be most likely to choose not to respond if:

9.4.1. There is reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience, and/or

9.4.2. The individual's letters/emails/telephone calls are often or always abusive or aggressive, and/or

9.4.3. The individual makes insulting personal comments about, or threats towards, school or trust staff

9.5. Unreasonable behaviour which is abusive, offensive, or threatening may constitute an unreasonably persistent complaint.

9.6. Once the school or trust has decided that it is appropriate to stop responding, the complainant will be informed in writing, either by letter or email.

9.7. The school or trust will ensure when making this decision that complainants making any new complaint are heard, and that the school and trust act reasonably.

10. Nursery Funding Complaints

10.1. 'If a parent wishes to complain about the way in which their EEC Funded hours are being delivered they can contact EECFunding.NCC@westnorthants.gov.uk.

10.2. If they are not happy with the way in which their complaint has been handled then parents/carers can contact the Home - Local Government and Social Care Ombudsman'.

11. Record Keeping and Confidentiality

11.1. The school will record the progress of all complaints, including information about:

11.1.1. Actions taken at all stages

11.1.2. The stage at which the complaint was resolved

11.1.3. The final outcome

11.2. The records will also include copies of letters and emails, and notes related to meetings and phone calls.

11.3. This material will be treated as confidential and will be viewed only by those involved in investigating the complaint or on the review panel.

11.4. In the case of complaints about the trust or central staff, these records will be managed by the, clerk to the board of trustees, and will be stored securely in the trust's offices under restricted access.

11.5. This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

11.6. Records of complaints will be kept for 6 years.

11.7. The details of the complaint, including the names of individuals involved, will not be shared with the whole local governing body of the school (or the entire trust board) in case a review panel needs to be organised at a later point.

11.8. Where the local governing body is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

11.9. Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the local governing body, who will not unreasonably withhold consent.

12. Learning Lessons

12.1. The local governing body will review any underlying issues raised by complaints with the Headteacher, where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

12.2. The trust board will receive regular reports on the types of complaints received in each school in order to support the development of appropriate support structures, and to inform an improvements to procedures or practice.

13. Monitoring Arrangements

13.1. The local governing body will monitor the effectiveness of the school complaints procedure in ensuring that complaints are handled properly.

13.2. The local governing body will track the number and nature of complaints, and review underlying issues as stated in the section entitled 'Learning lessons'.

13.3. The complaints records are logged and managed by the school's complaints coordinator.

13.4. The CEO will monitor the effectiveness of the complaints procedure trust-wide.

13.5. This policy will be reviewed by the CEO every year.

13.6. At each review, the policy will be approved by the trust board.

14. Links With Other Policies

14.1. Policies dealing with other forms of complaints include:

14.1.1. Admissions policy
14.1.2. Exclusions policy
14.1.3. Staff grievance procedures
14.1.4. Staff disciplinary procedures
14.1.5. SEN policy and information report

Appendix 1: Complaint Form

Please complete and return to Chris Meadway (Complaints Coordinator, Southfield School)/Simon Clark (Complaints Coordinator, Kingsthorpe College)/Felicity Sinclair (Complaints Coordinator, Hunsbury Park Primary School) who will acknowledge receipt and explain what action will be taken.

Your name:
Student's name (if relevant):
Your relationship to the student (if relevant):
Address: Postcode: Daytime telephone number: Evening telephone number: Email address:
Please give details of your complaint, including whether or not you have spoken to anybody at the school about it.
What actions do you feel might resolve the problem at this stage?
Are you attaching any paperwork? If so, please give details:

Signature: Date:
Official use
Date acknowledgement sent:
By Whom:
Complaints referred to:
Action Taken:
Date: