



EAST ANGLIA SCHOOLS TRUST

COMPLAINTS PROCEDURE

Chair of Governors/Board of Directors signature:

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Date:

Review Date: Autumn term 2019

Concerns & Complaints Procedure

All schools in Norfolk want their pupils to be healthy, happy and safe, and to achieve. They recognise that parents, guardians or carers play an important part in making this happen. Cooperation between parents, staff and governors leads to a shared sense of purpose and a good atmosphere in the school.

Each level of the procedure set out below offers the opportunity for concerns and complaints to be resolved as quickly as possible.

General Principles

The school works hard to provide a good service to, and have a good relationship with pupils, parents and members of the local community. At the same time it is recognised that on occasions an individual or group may have a complaint against a member of staff or the school itself. When a complaint occurs the following principles will apply:

- Every complaint is taken seriously
- Resolution of problems will be by informal means wherever possible
- Each complaint will be handled by the most appropriate member of staff
- Procedures will be impartial and non-adversarial
- Complaints will be dealt with as swiftly as possible
- Confidentiality will be respected at all times

Stage 1 - Informal Procedures

Every effort is made to resolve a concern or complaint at this stage. A phone call or a meeting with a member of staff should be sufficient to resolve most concerns. On occasion a senior member of staff might become involved to help resolve an issue. The complainant may wish to meet with the Head of School to discuss their concerns. The member of staff will make clear the school's response to the concerns raised and may agree certain actions to help resolve the complaint.

Where an approach is made directly to a member of the Governors, the Governor will refer the complainant to the Head of School.

Stage 2 - Formal Complaint

Where the complainant is not satisfied with the response at stage 1, they can choose to take the matter to the formal complaints stage. They should put their complaint in writing, addressed to the Head of School. The person responsible for assessing the complaint and deciding the outcome is the Head of School. The formal complaint will be investigated and the decision conveyed in writing within 15 working days of receiving the formal complaint.

The Head of School can decide to:

- Dismiss the complaint in whole or part
- Uphold the complaint in whole or part
- Decide on the appropriate action to be taken to resolve the complaint
- Recommend changes to the school's systems or procedures to ensure that issues of a similar nature do not recur

The number and nature of formal complaints will be reported at the next full Governors' meeting via the Head of School report. No details of individuals will be contained in this report.

Stage 3/Final Stage - Governors' Complaints Committee (Panel Hearing) see Appendix 1

If the complainant is not satisfied with the outcome of stage 2, they can choose to take the matter to the next stage. They should request this in writing to the Chair of Governors. The Chair will convene a meeting of the Governors' complaints committee within 15 working days of receiving this letter.

The Governors' complaints committee will contain 3 or 5 members. It will not contain Governors who have had previous involvement with this complaint. It will contain 1 member who is independent of the management and running of the school.

The complainant will be invited to attend the meeting/panel hearing and may be accompanied if they wish. The complainant will be given reasonable notice of the date of the panel hearing and clear information on the process to enable them to attend will be given.

It is vital that during the meeting all parties act in a reasonable way. Any behaviour which is aggressive or threatening will not be tolerated. If a complainant behaves unacceptably they may be asked to leave the meeting.

The Governors' complaints committee can decide to:

- Dismiss the complaint in whole or part
- Uphold the complaint in whole or part
- Decide on the appropriate action to be taken to resolve the complaint
- Recommend changes to the school's systems or procedures to ensure that issues of a similar nature do not recur

Once the Complaints Committee has reached a decision the Chair will inform all parties of the decision within 5 working days. At this point it should be made clear that the complaints procedure has been exhausted.

The Role of the Education Funding Agency

As the school is an Academy, the Local Authority cannot investigate complaints. The role of the EFA is to check whether the complaint has been dealt with properly by the academy. The EFA will not overturn an academy's decision about a complaint. However, if the EFA find an academy did not deal with a complaint properly, they will request the complaint is looked at again from the appropriate stage.

Vexatious Complaints

There will be occasions when despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chairman of the governing body or CEO is able under this policy to inform them in writing that the procedure has been exhausted and that the matter is now closed.

Concerns or complaints specifically about a Head of School or Executive Head Teacher

The decision that the Head of School has made as a result of the complaint does not become a complaint about the Head of School. If the complainant feels the complaint has not been resolved he/she should proceed to Level 4, a Governors' Complaints Panel.

If, the concern or complaint is specifically about the Head of School or Executive Head Teacher, and is unable to be resolved at the informal stage, then it will be necessary for the complainant to formally complain to the Chair of Governors. The school will provide the Chair of Governor's name and the complainant should write to him or her at the school address marking the envelope 'urgent, private and confidential'. The Chair of Governors should acknowledge the complainant's letter in writing within 5 school days of receipt .

Some complaints regarding admissions, the curriculum or special educational needs are covered by statutory regulations. The Head of School can give information about these issues or advice can be sought from the Customer Service Centre on 0844 800 8001 or e-mail: information@norfolk.gov.uk

Extended Schools:

The governing body should ensure that any third party provider offering activities and services through the extended schools programme has their own complaints procedure in place. Governors would need to have a discussion around, and make a decision about, what happens when the third party provider's complaints process is exhausted and the matter is not resolved and whether it should then be referred to a Governors' Complaints Panel. This would ensure that the Governors are kept aware of complaints about provision.

Complaints about Academies

Parents that are not satisfied a complaint has been dealt with appropriately by an Academy should contact the Education Funding Agency (EFA). The EFA will investigate complaints about:

- undue delay or non-compliance with published complaints procedures; and
- allegations that the Academy has acted unlawfully or failed to comply with a contractual duty imposed on it under its Funding Agreement with the Secretary of State or any other legal obligation

APPENDIX 1 - AT THE PANEL MEETING

Conduct

- The recommended conduct of the meeting is as follows:
 - a) The Chairman of the panel will welcome the complainant, introduce the panel members and explain the procedure
 - b) The Chairman of the panel will invite the complainant to explain the complaint
 - c) The Committee members may question the complainant about the complaint and the reason why it has been made
 - d) The Head of School will be invited by the Chairman of the panel to question the complainant about the complaint and why it has been made
 - e) The Chairman of the panel will invite the Head of School to make a statement in response to the complaint. At the discretion of the Chairman of the panel, the Head of School may invite members of staff directly involved in the complaint to supplement his/her response
 - f) The Committee members may question the Head of School and/or members of staff about the response to the complaint
 - g) The Chairman of the panel will allow the complainant to question the Head of School and/or members of staff about the response to the complaint
 - h) Any party has the right to call witnesses, subject to the approval of the Chairman of the panel
 - i) The Committee, the Head of School, and the complainant have the right to question any such witness
 - j) The Head of School will be invited by the Chairman of the panel to make a final statement
 - k) The complainant will be invited by the Chairman of the panel to make a final statement
 - l) The Chairman of the panel will explain to the complainant and the Head of School that the decision of the panel will now be considered and a written decision will be sent to both parties within 5 working days. The Chairman of the panel will then ask all parties to leave, except for members of the Committee
 - m) The Committee will then consider the complaint and all the evidence presented and;
 - i. Reach a decision on the complaint and the reasons for it
 - ii. Decide upon the appropriate action to be taken to resolve the complaint
 - n) The Governors sitting on the panel need to be aware of the complains procedure before the meeting

Roles and Responsibilities

The Role of the Clerk

The clerk is the contact point for the complainant and is required to:

- Set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- Collate any written material and send it to the parties in advance of the hearing;
- Meet and welcome the parties as they arrive at the hearing;
- Record the proceedings;
- Notify all parties of the panel's decision.

The Role of the Chairman of the panel

The Chairman of the panel has a key role, ensuring that:

- The remit of the panel is explained to the parties and each party has the opportunity of putting their case forward without undue interruption;
- The issues are addressed;
- Key findings of fact are made;
- Parents and others who may not be used to speaking at such a hearing are put at ease;
- The hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- The panel is open minded and acting independently;
- No member of the panel has any involvement in an earlier stage of the procedure;
- Each side is given the opportunity to state their case and ask questions;
- Written material is seen by all parties.

Checklist for a Panel Hearing

The panel needs to take the following points into account:

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence. Students may not appear as witnesses, but they may provide statements.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The Head of School may question both the complainant and the witnesses after each has spoken.
- The Head of School is then invited to explain the Academy's actions and be followed by the Academy's witnesses.
- The complainant may question both the Head of School and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Head of School is then invited to sum up the Academy's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.
- The Chairman explains that both parties will hear from the panel within a set time scale.

CHANGE LOG		
<i>CHANGES MADE</i>	<i>DATE</i>	<i>NEW VERSION NUMBER</i>
Trust name updated to 'East Anglia Schools Trust', logo changed; 'General Principles' section added; Stage 1, 2 & 3 wording replaced; 'The Role of The EFA' wording replaced; 'Vexatious Complaints' wording replaced; Appendix added	12/09/2017	2.0