



Complaints Procedure

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Introduction

As with any organisation, those interacting with our schools, may feel from time to time that we haven't got something right, or that a different approach to an issue may have been more appropriate. The following document is our agreed Complaints Policy and details the three stages that we have identified as the best way of dealing with complaints. However, we would much rather resolve any issues through listening, constructive dialogue and working in partnership with parents, carers, and the wider community. We encourage our school staff to pick up the phone to discuss problems as they arise to work collaboratively to find a solution.

Unfortunately, there may be occasions when this more informal approach doesn't resolve the situation, in which case the Complaints Policy should be applied. Whichever the route, our schools and the Trust commit to being open and transparent in our efforts to settle reasonable complaints in the best interests of the pupil, parents, and the whole school community.

Principles

It is the policy of the All Saints Schools Trust, to treat all complaints very seriously, and where errors have been made to learn from them. The Trust will act fairly but firmly where its provision or the conduct of its staff has been less than satisfactory.

Complaints are a valuable indicator of performance and should be responded to in a sympathetic and consistent manner. It is vital that the complainant is kept informed of progress by the nominated person to avoid confusion and/or conflicting messages.

The difference between a concern and a complaint

A **concern** may be defined as '*an expression of worry or doubt over an issue considered to be important, for which reassurances are sought*'.

A **complaint** may be defined as '*an expression of dissatisfaction however made, about actions taken or a lack of action*'.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the Complaints Procedure. All Saints Schools Trust and all its schools take concerns seriously and will make every effort to resolve the matter as quickly as possible.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, the Trust will attempt to resolve the issue internally, through the stages outlined within this Complaints Procedure.

Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services provided by the Trust and its schools, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
<ul style="list-style-type: none">Admissions to schools	Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority.
<ul style="list-style-type: none">Matters likely to require a Child Protection Investigation	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-Agency Safeguarding Hub (MASH).
<ul style="list-style-type: none">Exclusion of children from school*	Schools' behaviour policies explain how parents may raise concerns about exclusions. <i>*complaints about the application of the behaviour policy can be made through the school's Complaints Procedure. Please refer to the schools' behaviour policy.</i>
<ul style="list-style-type: none">Whistleblowing	The Trust has an internal whistleblowing procedure for all our employees, including temporary staff and contractors. Volunteers who have concerns about one of our schools should complain through the school's Complaints Procedure.
<ul style="list-style-type: none">Staff grievances	Complaints from staff will be dealt with under the Trust's internal grievance procedures.
<ul style="list-style-type: none">Staff conduct	Complaints about staff will be dealt with under the Trust's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.

Who can make a complaint?

This Complaints Procedure is not limited to parents or carers of children that are registered at any of All Saints Schools Trust schools. Anyone, including members of the public, may make a complaint to All Saints Schools Trust about the facilities or services that it provides. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions or HR issues), this Complaints Procedure will be used.

How to raise a concern or make a complaint

A formal concern or complaint can be made in person, in writing (by post or by email) or by telephone. They may also be made by a third party acting on behalf of a complainant if

they have appropriate consent to do so. Where the formal procedures are to be used, the complaint should be made in writing.

Complaints against school staff (except the Headteacher) will be made in the first instance, to the Headteacher via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the Headteacher/Executive Headteacher (the Headteacher) will be addressed to the CEO, via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual Governor or the whole Governing Body will be addressed to the Trust's CEO via the school office or the central trust office. Please mark them as Private and Confidential.

Complaints about the Chief Executive Officer (CEO) or a Trustee of the Trust, will be addressed to Chair of the Trust Board, via the trust office. Please mark them as Private and Confidential.

In order that complaints can be dealt with consistently, a template complaint form is included at the end of this procedure (Appendix 1). This form is very helpful in setting out not only the nature of a complaint but how the complainant hopes it will be resolved. If you require help in completing the form, please contact the school office. You can also ask a third-party organisation for example, the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this Complaints Procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

Anyone who has a conflict of interest should not take part in the complaints process. If there's any reasonable doubt as to a person's ability to act impartially, they should withdraw from considering the complaint.

Stage 1 – informal complaints/concerns

It is hoped that most concerns can be made and resolved on an internal basis with schools and families working together to best support pupils.

In the first instance, concerns should be raised with either the Class Teacher or Head of School/ Deputy Headteacher.

Individual Governors should not be approached to raise concerns or complaints as they have no power to act on an individual basis and it may also prevent them from considering complaints at a later stage of the process.

Conclusion of Stage 1

The person investigating the complaint will provide a written response, within 10 school days of the date of receipt of the complaint, unless there are exceptional circumstances, in which case the school will keep the complainant updated as to the proposed response date.

If the issue remains unresolved, the next step is to make a formal complaint.

Stage 2

Formal complaints must be made to the Headteacher (unless they are about the Headteacher), via the school office. This may be done in person and in writing using the Complaints Form (Appendix 1)

The Headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 2 school days.

Investigation

The Headteacher, or nominated senior leader from the Trust, will investigate and seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Headteacher can consider whether a face-to-face meeting is the most appropriate way of doing this.

Note: Whilst the Headteacher may delegate the investigation to another member of the school's senior leadership team or member of the Trust Executive team, the ultimate decision will be theirs.

During the investigation, the Headteacher (or investigator) will:

- If necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish.
- Keep a written record of any meetings/interviews in relation to their investigation.

Conclusion of stage 2

At the conclusion of their investigation, the Headteacher or Investigating Officer will provide a formal written response within 10 school days of the date of receipt of the complaint. If the Headteacher or Investigating Officer is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the Trust will take to resolve the complaint.

The Headteacher or Investigating Officer will advise the complainant how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

Complaints about the Headteacher or Governors at stage 2.

If the complaint is about the Headteacher, or a member of the Governing Body (including the Chair or Vice-Chair), either the Trust Director of Education, Trustee, or an independent adviser from outside the Trust, will be appointed by the Trust to complete all the actions at Stage 2.

If the complaint is:

- Jointly about the Chair and Vice Chair,
- The entire Governing Body or
- the majority of the Governing Body

Stage 2 will be heard by the CEO or Member of the Trust Board.

Stage 3

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a panel hearing consisting of at least three people who have no prior connection with the complaint, with one panel member who is independent of the management and running of the school. This is the final stage of the Complaints Procedure.

Requesting a Stage 3 panel

A request to escalate to Stage 3 must be made to the CEO (or in their absence one of our Directors of Education), via e-mail, the Trust office or school office, within 10 school days of receipt of the Stage 2 response. A nominated person in school will be appointed to liaise with the complainant and they will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 2 school days. They will ensure the CEO and the Trust Executive Assistant are notified so that the panel can be arranged.

Panel Administration

Note: Complaints about staff conduct are treated as complaints about the school. Any individual responsibility will not be handled under this Complaints Procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

The Trust's Executive Assistant co-ordinates and clerks the stage 3 Hearings Panel. She will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 18 school days of receipt of the Stage 3 request. If this is not possible, she will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Executive Assistant in conjunction with the Trust Board will decide when to hold the meeting. It will then proceed in the complainant's absence based on written submissions from both parties.

Up to 7 days prior to the hearing, the complainant and the school will be given the opportunity to submit written information that they wish to be included for consideration by the panel. This should include details of the complaint, and the resolution sought. Appendix 1 of this policy should be completed and used as the basis of the information provided to the panel by the complainant.

At least 5 school days before the meeting, the Executive Assistant will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible.
- Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

Panel Hearings

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend.

The same principles apply to staff; if a school employee is called as a witness in a complaint meeting, they may, for example, wish to be supported by union representation.

Generally, it is not encouraged that either party bring legal representatives to the committee meeting.

The panel 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.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken. Consideration should be given to the personal information recorded and how any decision to allow recordings may affect any third parties called to act as witnesses and the impact / consequences on the individuals involved in the complaint in

the event recordings are lost or leaked. Schools are data controllers and will have the discretion via our Trust policies to decide whether to allow complainants to record meetings if it is not required for the purpose of a reasonable adjustment. Representatives from the media are not permitted to attend.

Panel Outcomes

The committee will consider the complaint and all the evidence presented.

The committee can:

- uphold the complaint in whole or in part.
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:

- decide on or recommend the appropriate action to be taken to resolve the complaint.
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the panel will provide the complainant, the respondent and CEO with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the school or Trust will take to resolve the complaint.

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the Trust and the Headteacher.

The letter will include details of how to contact the Education and Skills Funding Agency (ESFA) if the complainant is dissatisfied with the way their complaint has been handled.

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing.

Complaints about Governors at stage 3.

If the complaint is:

- jointly about the Chair and Vice Chair
- the entire governing body or
- the majority of the Governing Body.

Stage 3 will be heard by the CEO or nominee and two independent panel members.

Time scales

The complaint must be raised within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. Complaints made outside of this time frame may be considered if exceptional circumstances apply. The timescales in general apply to times during school terms.

Complaints received outside of term-time

Complaints made outside of term time will be deemed to have been received on the first school day after the holiday period.

Resolving complaints

At each stage in the procedure the Trust wants to resolve the complaint. If appropriate, the Trust will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation.
- an admission that the situation could have been handled differently or better.
- an assurance that we will try to ensure 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 school policies in light of the complaint.
- an apology.

Each complaint will be considered individually based on the context and content of the complaint and not with reference to the handling or outcomes of previous complaints.

Withdrawal of a complaint

The complainant may withdraw the complaint at any time, but this must be confirmed in writing. Findings are to be recorded, and appropriate action taken to reduce the likelihood of similar complaints in the future. In all cases, correspondence and/or records of any discussions must be documented, and a copy retained for a minimum of 10 years for future reference or query.

Persistent, trivial, or serial complaints

There may be rare occasions when, despite a complaint being considered under all stages in this Complaints Policy, the complainant persists in making the same complaint to the school. There may also be rare occasions when a complainant raises unreasonable persistent complaints or raises complaints about matters which do not affect them. There may also be rare occasions when a complaint is made about a matter which is clearly so trivial that it would be a poor use of the school's resources to deal with it under the formal stages of the procedure. In these cases, the school reserves the right to regard the complaint as persistent or serial and to refuse to investigate further, if it appears reasonable and fair to do so (see appendix 2 for specific details). This procedure may also be used to manage unreasonable or persistent contact not directly associated with, or resulting from, formal complaints.

Notification of persistent, trivial or serial complaints

Where it is decided that a complaint is persistent or serial and will not be investigated, the Trust will write to the complainant within 5 school days of the complaint being received to notify them of the decision. If the complainant is unhappy with the decision not to investigate a persistent or serial complaint, they may write to the Chair of the Trust Board to ask for the decision to be reviewed. The Chair of the Trust Board will review the decision not to investigate the complaint after considering all documentation relating to the complaint, together with the letter from the school to the complainant. The Chair of the Trust Board will not investigate the complaint itself during the review. In exceptional circumstances, the Chair of Trust Board can delegate the authority for the review to another Trustee. Following due consideration (including taking advice from the Directors of Education or Executive Assistant), the Chair of the Trust Board will confirm the outcome of their review to the complainant in writing within 10 school days after the receipt of the letter from the complainant seeking a review.

If the Chair of the Trust Board's review indicates that the decision not to investigate the concern or complaint should be quashed, it will be referred to the appropriate staff member to be dealt with under the procedure in this Complaints Policy in the usual way. If the Chair of Trust Board's review indicates that the decision not to investigate the concern or complaint should be upheld, the complainant may refer the concern or complaint to the Education and Skills Funding Agency using the procedure identified under the fourth stage of the formal procedure.

Anonymous complaints

The Trust will not normally investigate anonymous complaints. However, the CEO, the Headteacher, or Chair of Trustees, if appropriate, will determine whether the complaint will be dealt with under the Trust's Whistleblowing policy and warrants an investigation.

Complaints about the Central Team, CEO or Trustee

If a complaint is about a member of the central team, or Trustee, then the complaint must be sent to the Directors of Education or CEO to be investigated.

The CEO (unless the complaint is about the CEO) will write to the complainant acknowledging the complaint within 5 school days of the date that the written request was received. The acknowledgement will confirm that the complaint will now be investigated under Stage 1 of this Complaints Policy and will confirm the date for providing a response to the complainant.

Following the investigation, the CEO will write to the complainant confirming the outcome within 10 school days of the date that the letter was received. If this time limit cannot be met, the CEO will write to the Complainant within 5 school days of the date that the letter was received, explaining the reason for the delay, and providing a revised date.

If the complaint concerns the CEO or a Trustee, the complaint should be investigated by a Trustee selected by the Chair of the Trust Board. If a formal complaint form is received about the Chair, the complaint will be referred to the Vice Chair for investigation.

NB. Where the Chair of the Trust Board has investigated the complaint, they will write the letter of outcome to the complainant and provide a copy to the CEO.

If the complainant is not satisfied with the outcome of the previous stage, the complainant should write to the Executive Assistant asking for the complaint to be heard before a Complaint Panel, within 5 school days. The process will then follow as per the stage 3 process above the Chair of Trustees and two independent panel members.

Investigations by external agencies

If other bodies are investigating aspects of the complaint, for example the police, independent investigator, local authority (LA) safeguarding teams or tribunals, this may impact on the Trust's ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations. If this happens, you will be informed of a proposed new timescale.

If a complainant commences legal action against the Trust in relation to their complaint, the Trust will consider whether to suspend the Complaints Procedure until those legal proceedings have concluded.

Record Keeping

All correspondence statements and records relating to individual complaints will be kept confidential, except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

Next Steps

If the complainant believes the school / Trust did not handle their complaint in accordance with the published Complaints Procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the ESFA after they have completed Stage 3.

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by All Saints Schools Trust. They will consider whether any of the Trust's schools have adhered to education legislation and any statutory policies connected with the complaint and whether they have followed [Part 7 of the Education \(Independent School Standards\) Regulations 2014](#).

The complainant can refer their complaint to the ESFA online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Academy Complaints and Customer Insight Unit
Education and Skills Funding Agency
Cheylesmore House
5 Quinton Road
Coventry
CV1 2WT

APPENDIX 1:



Complaints Form

Please complete and return to the staff member (or Headteacher) who will acknowledge receipt and explain what action will be taken.

A copy may also be shared with the Director of Education, CEO and other agencies as appropriate.

School name:	
Your name:	
Pupil's name:	
Your relationship to the pupil:	
Address:	
Postcode:	
Day time telephone number:	
Evening telephone number:	
Email address:	
Please give details of your complaint, including whether 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 who:

Complaint referred to:

Date:

Department for Education - If a complainant feels that the school has or is proposing to act unreasonably, or has failed to discharge a duty under certain legislation they can contact the Department for Education via the following link: [Contact the Department for Education](#)

APPENDIX 2:

Managing serial and unreasonable complaints.

All Saints Schools Trust and our Trust schools are committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. We will not normally limit the contact complainants have with our schools. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

The Trust defines unreasonable behaviour as that which hinders the consideration of complaints because of the frequency or nature of the complainant's contact with the school. Examples of unreasonable behaviour may be (but not limited to)

- refusal to articulate the complaint, specify the grounds of the complaint or the outcomes sought, despite offers of assistance
- refusal to co-operate with the complaint's investigation process
- refusal to accept that certain issues are not within the scope of the Complaints Procedure
- insisting on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introducing trivial or irrelevant information which they expect to be considered and commented on
- raising large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- making unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- changing the basis of the complaint as the investigation proceeds
- repeatedly making the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refusal to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- seeking an unrealistic outcome
- making excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- using threats to intimidate
- using abusive, offensive or discriminatory language or violence
- knowingly providing falsified information
- publishing unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, the Headteacher will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking. They must also seek advice from the Directors of Education, or Chief Executive Officer.

If the behaviour continues, the Headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact the school, causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from the school site.