

Complaints Policy for Parents and Carers

1. **Terms of Reference**

This policy is for Parents and Carers of all students, pupils and children within the academies of Cotswold Beacon Academy Trust (the Trust).

Definitions:

“academy” means any academy within the Trust.

“Principal” also refers to any other title used to identify the senior leader in the school, such as Headteacher, where appropriate, or other senior manager delegated to deal with the matter by the Principal.

“Governing Body” or “Governors” refers to the School Development Board (SDB) of the academy who are responsible for implementing the policy within their setting. The SDB may refer a case to the Trustees if appropriate.

This policy applies to any matter other than those with discrete statutory processes including admissions and exclusions.

2. **Purpose of the Policy**

The Trust believes that constant feedback is an important part of self-improvement and raising standards. Listening and responding to concerns and complaints enables us to adjust and improve services and systems. Providing a formal but clear way for dissatisfaction to be expressed and taken seriously is one way in which the Trust can demonstrate its respect for its partners and stakeholders.

The aim of this policy is to ensure that a concern or complaint is managed sympathetically, efficiently and at the appropriate level, and resolved as soon as possible. Doing so is good practice, it is fair to those concerned and it helps to promote parents' and pupils' confidence in our ability to safeguard and promote welfare. The Trust is committed to trying to resolve things that go wrong as soon as possible and we will always try to resolve concerns wherever possible without the need for a formal written complaint.

We need to know as soon as possible if there is any cause for dissatisfaction. We recognise that a difficulty which is not resolved quickly and fairly can soon become a cause of resentment, which would be damaging to relationships and also to our Trust culture. The policy distinguishes between a concern or a difficulty which can be resolved informally and a formal complaint which will require investigation. Parents and pupils should never feel (or be made to feel) that a complaint will be taken amiss or will adversely affect a pupil or his/her opportunities at any academy in the Trust.

3. **Complaints or Concerns brought by persons other than parents or carers of pupils at an academy within the Trust**

This policy does not apply to a concern or complaint which is not from a parent/carer of a pupil of the academy within the Trust (for example, from a member of the public). Any such concern or complaint should be made in writing directly to the Principal of the academy, or if about the Principal of an academy to the Chief Executive Officer (CEO) of the Trust. If the complaint is about the CEO, a local governor, Trustee, or the Trust itself, the complaint should be made to the Chair of the Trust Board. The Principal, or CEO, or Chair of the Trust Board, as the case may be, will respond to the written complaint within 15 school days and that will conclude the complaint.

4. **General Principles**

This procedure is intended to allow you to raise a concern or complaint relating to an academy, or the services that it provides. An anonymous concern or complaint will not be investigated under this procedure, unless there are exceptional circumstances. To allow for a proper investigation, concerns or complaints should be brought to

the attention of the academy as soon as possible. In general, the academy will not consider any concern or complaint that was raised more than 3 months after the event.

This policy describes a three-stage procedure:

Stage 1 - Informal resolution of a concern or difficulty notified orally or in writing to a member of staff.

Stage 2 - A formal complaint in writing to the Principal.

Stage 3 - An unresolved complaint renewed in writing to the Chair of Governors and dealt with by a panel.

Stage 1- Informal resolution of a concern or difficulty notified orally or in writing to a member of staff

It is recommended that any concerns should be raised directly with the member of staff concerned or an appropriate line manager. This may be by letter, by telephone or in person by appointment. Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most concerns will be resolved by this informal stage. A member of the senior leadership team may also be involved at this stage if necessary. Please note that if the first approach is made to a Governor or Trustee, he/she will refer the complainant to an appropriate member of staff. The academy will seek to deal with any informal complaint within 10 school days.

Stage 2- A formal complaint in writing to the Principal

If your concern is not resolved at the informal stage you must put the complaint in writing and pass it to the academy Principal who will be responsible for ensuring that it is investigated appropriately. A Complaint Form is provided to help you (Appendix A).

You should include details that might help the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents.

It is very important that you include a clear statement about what you hope might reasonably contribute to a resolution of the problem at this stage. Without this, it is much more difficult to proceed. Please send the completed form, in a sealed envelope to the Principal.

An investigation will be carried out by a nominated individual identified by the Principal as appropriate, who may offer the complainant a meeting. The investigator will speak to others involved. Where reasonably possible, any meeting with the complainant will take place within 15 school days of the written complaint being received.

The investigator or Principal will put her/his findings in writing and will indicate what, if any, steps should be taken to resolve the matter or may invite you to a meeting to discuss your complaint and to seek a resolution. If you accept that invitation, a friend may accompany you. Where reasonably possible, this will be done within 15 school days of any previous meeting with the complainant; if no meeting is arranged the written findings and any steps to be taken will be sent to you within 25 school days of the written complaint being received.

In the unlikely event that the complainant remains dissatisfied with the investigator or Principal's actions to resolve their concerns at Stage 2, it is requested that the complaint is put in writing to the Chair of Governors at the academy address within 10 school days of receipt of the Stage 2 outcome

In the event of the complaint being against the Chief Executive Officer of the Trust, an academy Principal, a Trustee or a Governor, the responsibility for the process will be escalated as appropriate.

Stage 3 - An unresolved complaint renewed in writing to the Chair of Governors

In the unlikely event that the complainant remains dissatisfied with the Principal's actions to resolve their concerns at Stage 2, it is requested that the complaint is put in writing to the Chair of Governors at the academy address within 10 school days of receipt of the Stage 2 outcome. Complainants should include a statement specifying why he/she feels the matter has not been resolved and what resolution is sought. A Stage 3 Request form is provided for your convenience (Appendix B).

A panel of three members will conduct a review of the complaint and the process followed at Stage 1 and 2. The panel will include two governors including the Chair of Governors, and one person who is independent of the management and running of the Trust and any of its academies. If two governors of the academy are not

available, the panel may include a member of a School Development Board from another academy within the Trust or a member of the Board of Trustees from the Trust. None of the members of the complaints panel will have been directly involved in the matters detailed in the complaint.

The panel will invite the academy to put in writing its response to the complainant's reasons for moving the complaint to Stage 3. The academy will provide this within 15 school days of receiving the request. At the end of that period (whether or not the academy has responded) the meeting of the complaints panel will proceed. That meeting will be held on academy premises as quickly as practicable given the need to find a date that is reasonably convenient for the complainant, the academy and the members of the complaints panel. Whenever possible, the meeting will be held within 15 school days of the end of the academy's response time. At any meeting, the complainant will be entitled to be accompanied by a friend but legal representation will not be allowed.

The meeting is not a court case, it will be held in private, and will be as informal as circumstances allow. The complainant will have the opportunity to put her/his reasons for dissatisfaction and to enlarge on them but may not introduce reasons that were not previously put in writing. The academy will have the opportunity to put its case, and each side, as well as the panel members, will be able to ask questions. The complainant will have the opportunity to make final comments to the panel.

The panel may dismiss the complaint in whole or in part, uphold the complaint in whole or in part, decide on the appropriate action to be taken to resolve the complaint, or recommend changes to the academy's systems or procedures to ensure that problems of a similar nature do not recur. A copy of those findings and recommendations of the panel will be;

- I. sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about; and will be;
- II. available for inspection on the academy premises by the Trust, the Principal of the academy and the CEO of the Trust.

The panel will formulate its response as quickly as reasonably possible, aiming to do so within 10 school days, and the panel will notify all concerned.

The complaints panel will proceed irrespective of whether or not the complainant and/or their representative attend. If the complainant fails to attend on the day without compelling reasons, the complaints panel will still proceed in their absence and the process will continue to its conclusion. Any further attempt to re-open the matter will be considered as falling under the serial/persistent complaint section as below.

After the outcome of Stage 3 has been communicated, the matter will then be closed as far as the academy is concerned.

If the complainant feels that the academy complaints policy has not been followed, the policy does not meet statutory requirements or the academy has failed to comply with the duty imposed under its funding agreement, they may contact the Trust at Cainscross Road, Stroud, Gloucestershire, GL54HE. Any complaints referred to the Trust will be dealt with as specified in Appendix C.

4. Complaints Relating to Fulfilment of the Early Years Foundation Stage (EYFS) Requirements

In order to comply with the statutory framework, written concerns or complaints relating to the fulfilment of the EYFS Requirements will be dealt with in accordance with the following process:

- The written concern/complaint will be acknowledged within 5 days;
- The Principal will investigate the concern or complaint which may include meeting with the complainant and the Head of Early Years. A written response notifying the complainant of the outcome of the investigation will be sent within 28 days of the complaint being received.
- Where the complainant remains dissatisfied, the Principal will ensure that a formal complaints panel will be convened in accordance with paragraph 3 of this policy.

A record of the written complaints and their outcome will be maintained and made available to Ofsted on request.

Parents are further advised that where you have concerns regarding the School meeting EYFS requirements they may contact Ofsted on 0300 123 4666

5. Serial or persistent complainants

If, at any level, a complainant attempts to reopen an issue or a closely related issue that has already been dealt with under this complaints procedure, the Chair of Governors may write to the complainant to inform him/her that the procedure has been exhausted and the matter closed, that continued correspondence on the same matter is vexatious and that the academy will not respond to any further correspondence on this issue or a closely related issue.

6. Record Keeping

A written record will be kept of all complaints that were resolved at the formal stage of the complaints procedure. Records will contain details of whether the complaint was resolved at stage 2 or stage 3. The action taken by the academy or the Trust as a result of a complaint (regardless of whether they are upheld) will also be recorded.

7. Confidentiality

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 Education and Skills Act 2008 requests access to them.

8. Education and Skills Funding Agency (ESFA)

Once the complaints process is concluded (or a complaint has been terminated due to undue delay or failure to lodge a stage 3 request within the time stated in the policy) the matter is closed. If the complainant is still not satisfied then they may contact the ESFA. There is an online procedure at <https://www.gov.uk/government/publications/complain-about-an-academy> or you may write to the ESFA at : .

ESFA – Academies Complaint and Customer Insight Unit
Cheylesmore House
Quinton Road
Coventry
CV1 2WT

Appendix A

Cotswold Beacon Academy Trust Stage 2 Complaint Form

Please complete this form and return it to the academy Principal, who will acknowledge its receipt and inform you of the next stage in the procedure.

Academy against which the complaint is being made:	
Your Name:	
Your Address:	
Daytime telephone number:	
Evening telephone number:	

Relationship with academy, e.g. parent of a child on the academy's roll:	
Child's name (if relevant to your complaint):	

Please give concise details of your complaint, (including dates, names of witnesses etc), to allow the matter to be fully investigated:
You may continue on separate paper, or attach additional documents, if you wish.

Number of additional pages attached:	
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What action, if any, have you already taken to try to resolve your complaint? (i.e. whom have you spoken with or written to and what was the outcome?)

What do you hope might reasonably contribute to a resolution of the problem at this stage?

Signature:

Date:

Academy use:

Received by:

Date:

Acknowledgement
sent by:

Date:

Complaint referred to:

Name

Date:

Name

Date:

Name

Date:

Appendix B

Cotswold Beacon Academy Trust Stage 3 Complaint Form

Please complete this form and return it to the Chair of the Governing Body of the academy who will acknowledge its receipt and inform you of the next stage in the procedure.

Academy against which the complaint is being made:	
Your Name:	
Your Address:	
Daytime telephone number:	
Evening telephone number:	

Dear Sir/Madam

I submitted a formal Stage 2 complaint to the Principal on Date: _____

I received a response from the Principal on Date: _____

I consider that my complaint is unresolved at Stage 2 so I would like to renew my complaint to the Chair of Governors (Stage 3)

I am not satisfied with the outcome of the complaint and consider it to be unresolved because:

You may continue on separate paper, or attach additional documents, if you wish.

Number of additional pages attached

What do you hope might reasonably contribute to a resolution of the problem at this stage?

Signature:

Date:

Academy use:

Received by:

Date:

Acknowledgement
sent by:

Date:

Complaint referred to:

Name

Date:

Name

Date:

Name

Date:

Where the academy complaints procedure has been completed and the complainant feels that the academy complaints policy was not followed, the policy does not meet statutory requirements or the academy has failed to comply with the duty imposed under its funding agreement, they may contact the Trust in writing to request a review of the complaint investigation.

Generally, the Trust will only look into complaints about academies that fall into the following two areas.

1. The academy did not comply with its own complaints procedure when considering a complaint or the academy's complaints procedure does not comply with statutory requirements.

Cotswold Beacon Academy Trust cannot review or overturn an academy's decisions about complaints but will look at whether the academy considered the complaint appropriately. The Trust will generally only do this after a complaint has been through the academy's own procedure but may investigate sooner if there is evidence of undue delays by the academy. If the Trust finds that an academy did not deal with a complaint appropriately it will request that the complaint is reconsidered. Similarly, if the academy's complaints procedure does not meet statutory requirements then the Trust will rectify this.

2. The academy has failed to comply with a duty imposed under its funding agreement with the Secretary of State.

The Trust will seek to resolve any concerns regarding potential or actual breaches of the funding agreement with the academy. The Trust will also consider evidence that an academy has failed to comply with any other legal obligation placed on it. The Trust reserve the right not to investigate complaints considered to be vexatious or malicious or where the Trust is satisfied with the action that the academy has already taken or proposes to take to resolve the complaint

Procedures for Dealing with a complaint

- a) Written complaints will be acknowledged in writing within **5 school days**. The complainant will be given the name of the Investigating Officer at the Trust.
- b) The complainant will be asked to submit a written summary of the complaint.
- c) The academy will be asked to provide:
 - A copy of its complaints procedures and details of any other relevant policies or procedures;
 - An explanation of how each stage of its complaints procedures has been followed;
 - A response to the summary of the complaint, together with relevant documents and copies of correspondence with the complainant.
- d) The academy will be asked to respond within **10 academy days**, notifying the Investigating Officer if there is any confidential information which may not be shared with the complainant such as data belonging to individuals not involved in the complaint.
- e) The Investigating Officer will respond in writing to the complainant, usually within **15 academy days**. However, whilst every effort will be made to complete investigations promptly, in some cases, requiring detailed investigations, it will take longer to produce a written response. Where this is the case the complainant will be advised of any revised timescale for production of the written response.
- f) Where appropriate the Multi-Academy Trust may direct the academy to review its decision on the complaint submitted to it or change its procedures for reaching the decision if they are non-compliant with statutory requirements.