



# Complaints Policy

For the Following Academies:

Holy Trinity C of E Primary School  
Connaught Junior School  
Crawley Ridge Infant School  
Crawley Ridge Junior School  
Windlesham Village Infant School

This Complaints Policy was approved and adopted by the Trust Board on 3<sup>rd</sup> July 2020  
It will be reviewed July 2022

## **Introduction**

This policy applies to any matter (other than matters relating to admissions and exclusions which have their own processes) which has been raised with an Academy School within The Alliance Multi-Academy Trust (TAMAT) as a matter of concern but which has not been capable of resolution informally and which the complainant or the Academy School consider should be dealt with on a formal basis. TAMAT will publish guidance on how matters of concern should be raised on an informal basis within this policy. Generally, it is expected that where the matter relates to a pupil it will have been raised with the pupil's class teacher and senior teacher or leader before a request is made to deal with it under this policy.

It is a pre-condition to the operation of this policy that the complainant shall have made reasonable attempts to seek an informal resolution as stated in the Stage One, and shall have acted in relation to the matter in a reasonable and measured way consistent with the Academy's Behaviour Policy. The Chair of the Local Academy Board shall have a discretion, which will be exercised reasonably, not to allow a complaint to be pursued where this precondition has not been met.

For the avoidance of doubt, this policy does not apply to those who are not parents of pupils at an Academy within TAMAT. Complaints that fall in to this category will be dealt with as follows: Complainants should first attempt to address their complaint to the Academy or Trust (as appropriate) informally. Only if this fails to resolve the situation should the complaint be submitted in writing to the Headteacher if the complaint is about the Academy School in general or to the Chair of the Local Academy Board – if the complaint is about the Head Teacher specifically. They will then acknowledge receipt of the complaint before considering it and issuing a final written response.

## **Aims**

The aim of this policy is to explain the rights and responsibilities of pupils, parents and academy staff and to recognise that responsibilities rest with each of these.

All complaints will be treated seriously and courteously and given the time necessary for the complainant to feel that the matter has been dealt with properly. It is important that the complainant has confidence in these procedures and knows that the matter will be investigated impartially and dealt with as quickly as possible.

No-one will be excluded from the complaints system because of any difficulties they may have in representing themselves. The Alliance Multi-Academy Trust (TAMAT) recognises that some people may need help in pursuing their complaint and consideration is given to putting complainants in touch with a suitable agency which can help them, e.g. Surrey Parent Partnership; Race Equality and Minority Achievement Team; Area Schools Officer.

If at any time a child protection concern becomes apparent, the child protection process will take precedence over the complaints process, which will be halted until the child protection matter is resolved.

The investigation of a complaint will not deal with staff disciplinary matters. If, however, during the course of considering a complaint, it is concluded that disciplinary procedures should be initiated, the local academy board will consider this as a separate action.

Confidentiality will be maintained at all times by all concerned. All conversations and correspondence must be treated with discretion. All parties to a complaint will need to accept that some sharing of information will be inevitable if the complaint is to be investigated fully and fairly and that a complaint will not disadvantage the complainant's child.

TAMAT or its academies schools are mindful of the Data Protection Act and will not disclose personal information relating to third parties, e.g. pupils, parents, staff etc.

*Please note: TAMAT does not regard using social media networking sites as an appropriate way of progressing a complaint. Any concerns should be communicated to a member of staff and not on social media in a way that brings the school into disrepute.*

### **Stage 1 – Informal Resolution**

The trust will publish guidance on how matters of concern should be raised on an informal basis. Generally, it is expected that where the matter relates to a pupil it will have been raised with the pupil's class tutor and or senior teacher or phase leader before a request is made to deal with it under this policy. If a matter is not resolved at the informal stage then a complainant may take it to the formal stage.

It is a precondition to the operation of this policy that the complainant shall have made reasonable attempts to seek an informal resolution and shall have acted in relation to the matter in a reasonable and measured way consistent with the school's behaviour code adopted. The chair of the local academy board shall have a discretion, which will be exercised reasonably, not to allow a complaint to be pursued where this precondition has not been met.

Where the matter is not resolved at the informal stage, the parent may elevate it to the formal stage.

### **Stage 2 – Formal Resolution at Local Level: Investigation by a Nominated Individual**

1. The complainant must put the complaint in writing, addressed to the Headteacher of the academy school, setting out briefly the facts and stating what it is that the complainant considers should have been done or where the academy has not met reasonable expectations.

2. An investigation will be carried out by a nominated individual identified by the Headteacher as appropriate, who may offer the complainant a meeting. The investigator will speak to others involved. Whenever reasonably possible, any meeting with the complainant will take place within 15 school days of the written complaint being received.
3. The investigator will put her/his findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done within 15 school days of any meeting with the complainant; if no meeting is arranged it will be within 25 school days of the written complaint being received.

Where the complainant remains dissatisfied he may request the complaint is dealt with at Stage 3. Any such request **must** be set out in writing, stating where the complainant remains dissatisfied and lodged within **10** school days of the complainant receiving the findings in writing.

Any complaint relating to the Headteacher of the academy school must be raised in the first instance with the Chief Executive Officer (CEO) who will, if an informal resolution cannot be reached, designate a member of the local academy board to investigate the complaint as per **Stage 3**. **Stage 2** does not apply to a complaint against the Headteacher.

Any complaint relating to the CEO of the academy trust must be raised in the first instance with the chair of the trust board who will, if an informal resolution cannot be reached, designate a member of the board of trustees to investigate the complaint as per **Stage 3**. **Stage 2** does not apply to a complaint against the CEO.

For complaints against members of the local academy board please note the process to follow set out at the end of this policy.

### **Stage 3 – Formal Resolution: Local Academy Board**

1. The complainant must put the complaint in writing, addressed to the chair of the local academy board, setting out briefly the facts and stating what it is that the complainant considers should have been done or where the academy has not met reasonable expectations.
2. The chair of the local academy board may appoint a member of the local academy board of the academy school to investigate the complaint. The investigation may include the offer of a meeting with the complainant. Whenever reasonably possible, any meeting with the complainant will take place within 15 school days of the written complaint being received.

3. The investigator will put her/his findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done within 15 school days of any meeting with the complainant; if no meeting is arranged it will be within 25 school days of the written complaint being received.

Where the complainant remains dissatisfied he may request the complaint is dealt with at Stage 4. Any such request **must** be set out in writing, stating where the complainant remains dissatisfied, what remedies are being sought and be lodged within **10** school days of the complainant receiving the findings in writing. The request must be addressed to the clerk of trustees on [clerk@tamam.org.uk](mailto:clerk@tamam.org.uk)

#### **Stage 4 – Formal Resolution: Panel Hearing**

1. The complaints panel of TAMAT will consider all complaints at Stage 4.
2. The complaints panel must comprise at least three people, which will include one person who is independent of the trustees and local academy boards and two trustees nominated by the chair who are not members of the local academy board of the school, which the complainant's child attends.
3. None of the members of the complaints panel will have been directly involved in the matters detailed in the complaint.
4. The clerk will invite the academy to put in writing its response to the complainant's reasons. 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 clerk will convene a meeting of the complaints panel. That meeting will be held 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.
5. 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 side of things 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.

6. The panel may make findings and recommendations and a copy of those findings and recommendations will be:
  - (i) sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about; and
  - (ii) available for inspection on the academy premises by the academy trust, the Headteacher and Chief Executive Office.
7. The panel will formulate its response as quickly as reasonably possible, aiming to do so within 10 school days, and the clerk will notify all concerned.

#### **Attendance at a Complaints Panel Hearing**

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.

#### **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 the academy trust 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 trust will not respond to any further correspondence on this issue or a closely related issue.

#### **Complaint against a member of a Local Academy Board / Chair of a Local Academy board**

Where a complaint is brought against a member of the local academy board, the chair of the local academy board will investigate the complaint (or appoint another member of the local academy board to do so) in the same way as in the first stage of the formal process at **Stage 3**. **Stage 2** does not apply

If the complaint is against the chair of the local academy board, then the vice chair of the local academy board will investigate the complaint (or appoint another member of the local academy board to do so) in the same way as in the first stage of the formal process at **Stage 3**. **Stage 2** does not apply.

If the complaint is against a member of the board of trustees, then the chair of the board, (or in the case of a complaint against the chair the vice chair) will investigate the complaint (or appoint

another member of the board to do so) in the same way as in the first stage of the formal process at **Stage 3**. **Stage 2** does not apply.

In exceptional circumstances the chair of the board of trustees may at his or her absolute discretion determine that a complaint against a Headteacher, CEO or member of the local academy board should be dealt with at board level and if so determined the chair of the board of trustees will oversee **Stage 3**.

### **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, stage 3 or whether it proceeded to a stage 4 panel hearing. The action taken by the academy or the academy trust as a result of a complaint (regardless of whether they are upheld) will also be recorded.

### **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.

### **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 [www.gov.uk](http://www.gov.uk) or you may write to the ESFA at Earlsdon Park, 53-55 Butts Road, Coventry, CV1 3BH.

### **Complaints Relating to Fulfilment of the 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 Headteacher 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 Headteacher will ensure that a formal complaints panel will be convened in accordance with stage 4 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 an academy school meeting EYFS requirements they may contact Ofsted on 0300 123 4666.

