

EVERY CHILD MATTERS ACADEMY TRUST

Complaints Policy

The terms Trust and School (and levels within e.g. governors and trustees) are interchangeable and apply to all schools within the Trust

1 Availability of the Complaints Policy

- 1.1 This policy will be used across each Academy within Every Child Matters Academy Trust for all complaints from parents/guardians or other parties.
- 1.2 A copy of the complaints procedure is available from each Academy's Reception and on the school websites:
www.highviewprimary.co.uk/
www.wombwellparkstreetprimary.co.uk/
www.hoylandspringwood.org.uk/
www.kexborough-primary.co.uk/
www.wellgateprimaryblog.co.uk/

2. Introduction

- 2.1 We believe that our Trust provides a good education for all our children, and that the headteachers and other staff work very hard to build positive relationships with all parents. However, the trust is obliged to have procedures in place in case there are complaints by parents or other parties.
- 2.2 If any parent/guardian is unhappy with the education that their child is receiving, or has any concern relating to the trust, we encourage that person to talk to the child's class teacher immediately.
- 2.3 We deal with all complaints in compliance with guidance/regulation set out by the Department for Education, The Education Funding Agency (EFA) and The Education (Independent School Standards) Regulations 2010.

We have adopted a three-stage process for dealing with complaints:

- Stage 1 – Complaint heard by member of staff
- Stage 2 – Complaint heard by Headteacher
- Stage 3 – Complaint heard by Complaints Panel

3. Aims and Objectives

Our trust aims to be fair, open and honest when dealing with any complaint. When considering a complaint we endeavour to deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding and, in all cases, we put the interests of the child above all other issues. We provide sufficient opportunity for any complaint to be fully discussed, and then resolved.

4. Complaints Procedure

- a. Our Complaints Procedure will:
 - i. Encourage resolution of problems by informal means wherever possible;
 - ii. Be easily accessible and publicised;
 - iii. Be simple to understand and use;
 - iv. Be impartial;

- v. Be non-adversarial;
 - vi. Allow swift handling with established time limits for action and keeping people informed of the progress;
 - vii. Ensure a full and fair investigation by an independent person where necessary;
 - viii. Respect people's desire for confidentiality;
 - ix. Address all the points at issue and provide effective response and appropriate redress, where necessary;
 - x. Provide information to the Academy's senior management team to enable services to be improved.
- b. The Academy will be clear about the difference between a concern and a complaint. We will take concerns seriously at the earliest stage to reduce the numbers that develop into complaints.

5 **Stage 1 – Informal Resolution**

- 5.1 Most concerns will be dealt with informally and parents/guardians are encouraged to speak to a member of staff to discuss your concerns. The formal procedures set out below will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.
- 5.2 If a parent/guardian is concerned about anything to do with the education that we are providing within our trust, they should, in the first instance, discuss the matter with their child's class teacher. Most matters of concern can be dealt with in this way. All teachers work very hard to ensure that each child is happy at school, and is making good progress; they always want to know if there is a problem, so that they can take action before the problem seriously affects the child's progress.
- 5.3 Our Academies operate an open door policy and, as such, parents/guardians may wish to book in some time to talk to the Headteacher if this would be beneficial in resolving your concern informally.
- 5.4 Should the complaint be about the Headteacher, the Executive Headteacher will do all (s)he can to resolve the issue informally through a dialogue with the persons concerned.

6 **Stage 2 – Formal Resolution**

- 6.1 If the complaint cannot be resolved on an informal basis (as set out in the above paragraphs), then parents/guardians should put their complaint in writing (using Appendix 1 attached) and hand this in to the Academy for the attention of the Headteacher.
- 6.2 The Headteacher considers any such complaint very seriously. The complaint will be investigated thoroughly (by the Headteacher or a person delegated to undertake the investigation).
- 6.3 The Headteacher will decide, after considering the complaint, the appropriate course of action to take.
- 6.4 In most cases, the Headteacher will meet or speak with the parents/guardians concerned to discuss the matter. If possible, a resolution will be reached at this stage.
- 6.5 The Headteacher will use reasonable endeavours to speak to or meet parents/guardians within 10 working days of the formal complaint being received.

- 6.6 Once the Headteacher is satisfied that, so far as practicable, all of the relevant facts have been established, a decision will be made which will be communicated to parents/guardians in writing giving the reasons for the decision. The written decision should be provided no later than 10 working days after speaking with or meeting with parents/guardians to discuss the matter.
- 6.7 The Academy will hold a written record of all formal complaints, including records of meetings and interviews held in relation to the complaint, and the Academy's decision. The record will be retained for 1 year after the pupil leaves the Academy.
- 6.8 Should the complaint be about the Headteacher, it will then be considered by the Executive Headteacher who will follow the above steps.
- 6.9 Only if Stage 2 proceedings fail to resolve the matter should a complaint progress to Stage 3.

7 Stage 3 – Complaints Panel

- 7.1 If parents/guardians seek to invoke Stage 3, following failure to reach an earlier resolution with the Headteacher or Executive Headteacher's decision, in respect of their formal complaint. They may request their complaint is considered by the Complaints Panel. Such a request must be made in writing addressed to the Chair of The Board of Trustees, Every Child Matters Academy Trust, care of High View Primary Learning Centre, Newsome Avenue, Wombwell, Barnsley S73 8QS.
- 7.2 This request for further assessment of the complaint will, for the purposes of this procedure, be known as an 'appeal'.
- 7.3 Parents/guardians must lodge their appeal in writing within 10 working days of the date of the Academy's decision made in accordance with the Stage 2 procedure. The parents/guardians should provide, in writing, a list of the complaints made against the Academy and which they believe to have been resolved unsatisfactorily by the Stage 2 procedure, along with the remedies sought in respect of each.
- 7.4 The Complaints Panel is only obliged to consider the complaint lodged in this 'initial submission' although they may use their discretion to consider other relevant and related matters that may subsequently arise.
- 7.5 Where an appeal is received by the Academy, the Academy will, within 5 working days, refer the matter to the Clerk to the Local Governing Body who will act as Clerk for the Complaints Panel. Where the appeal is received by the Academy during Academy holidays, or within 2 working days of their commencement, the Academy has 5 working days upon commencement of the school term to refer the matter to the Clerk.
- 7.6 The Clerk provides an independent source of advice on procedure for all parties.
- 7.7 On receipt of an appeal, the Clerk will then endeavour to convene an independent Complaints Panel hearing as soon as possible, usually no later than 20 school days after receipt of the notification from the parents/guardian

that they wish to invoke Stage 3. The Panel date will be dependent upon the availability of the Panel members.

7.8 The Independent Complaints Panel will consist of two governors from the Local Governing Body who have not previously been involved in the complaint, and one person independent of the management and running of the school who will be selected from the Local Governing Body of another school/academy.

7.9 The following are entitled to attend a hearing and/or, submit written representations and address the Panel:

- The parent(s)/guardian(s);
- The Headteacher of the Academy
- Any other interested person whom the Complaints Panel considers to have a reasonable and just interest in the appeal and whose contribution would assist the Panel in their decision-making.

7.10 Where required, the Complaints Panel may request any reports, documents, chronology or other useful information in advance of the hearing. Evidence will be sent to and collated by the Clerk who will distribute the information to the relevant parties in advance of the hearing.

7.11 After due consideration of the facts considered relevant, the Panel will reach a decision, and make recommendations, which it shall complete within 10 working days of the hearing. The decision reached by the Complaints Panel is final. Any decision reached that may have financial implications for the Academy will need the appropriate approval from the Trust, although any such approval must be compatible with the decision of the Complaints Panel.

7.12 There is no further right of appeal to the Local Governing Body or Trust. All complainants have the right, as a last resort, to contact the Education Funding Agency if they are not satisfied with the way in which their complaint has been considered. You can contact the EFA via their complaints form on the following link https://form.education.gov.uk/fillform.php?self=1&form_id=cCCNJ1xSfBE&type=form&ShowMsg=1&form_name=Contact+the+Department+for+Education&noRegister=false&ret=%2Fmodule%2Fservices&noLoginPrompt=1

8 Monitoring, Evaluation and review

8.1 The Trust Board will review this policy at least every three years and assess its implementation and effectiveness. The policy will be promoted and implemented throughout each Academy in the Trust.

8.2 The governors monitor the complaints procedure, in order to ensure that all complaints are handled properly.

8.3 Governors take into account any local or national decisions that affect the complaints process, and make any modifications necessary to this policy. This policy is made available to all parents, so that they can be properly informed about the complaints process.

Approved by the Board of Trustees 21 March 2018
To be reviewed Spring Term 2020

Chair of Trustees _____ CEO _____

Date:

Appendix 1

Stage 2 – Formal Complaint Form

Your personal details

Your name:	
Your child's name:	
Your child's class:	
Your address including postcode:	
Which school is your complaint regarding:	

Daytime telephone number:	
Evening telephone number:	
Email address:	

Details of your complaint

1. Please provide full details of your complaint, including relevant dates and persons concerned where possible in the box below. Continue on a separate sheet if necessary.

2. What action, if any, have you already taken to try and resolve your complaint? (who did you speak to and what was their response?). Continue on a separate sheet if necessary.

3. How do you feel the problem could be resolved at this stage? Continue on a separate sheet if necessary.

4. Are you attaching any paperwork? If so, please provide details. Continue on a separate sheet if necessary.

Signed:	
Date:	

Thank you for completing the form and providing us with details of your complaint.

Please send in your completed form to the Headteacher, care of the school reception or via the following email address:

High View Primary Learning Centre – highview@ecmtrust.co.uk

Hoyland Springwood Primary School – springwood@ecmtrust.co.uk

Kexborough Primary School – kexboroughprimary@ecmtrust.co.uk

Wellgate Primary School – wellgateprimaryt@ecmtrust.co.uk

Wombwell Park Street Primary School – parkstreet@ecmtrust.co.uk

All paperwork will be held on file securely by the school.