

The Crabtree Academy Trust

Crabtree Lane, Harpenden, Herts. AL5 5PU



Crabtree Infants' School

Headteacher: Mrs Sally Patrick

Crabtree Junior School

Headteacher Mr Ian Patrick

Complaints Procedure

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The Board of Directors shall conduct the Trust with a view to promoting high standards of educational achievement.

Crabtree Academy Trust is committed to eliminating discrimination, advancing equality of opportunity and fostering good relations between different groups. These factors were considered in the formation and review of this policy and will be adhered to in its implementation and application across the whole school community.

The Crabtree Schools will promote the fundamental British values of democracy, the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs and will actively challenge pupils, staff or parents expressing opinions contrary to fundamental British Values, including 'extremist' views.

Version	Date	Notes
V1.0	01 April 2015	Approved by Board of Directors

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1. The Law

All academies must have a complaints procedure which meets the standards set out in the Education (Independent School Standards (England) Regulations 2010 Schedule 1, Part 7. The Regulations set out the manner in which a complaints procedure should be drawn up and used effectively to handle complaints from parents of pupils.

2. Statement of Intent

The Trust is clear that there is a difference between a concern and a complaint. Staff and governors value greatly their good relationship with parents and hope that any problems may be resolved with either the class teacher or headteacher without resorting to a formal complaints procedure. By taking informal concerns seriously at the earliest stage the Trust seeks to minimise the number that develop into formal complaints.

In the event that an issue is not resolved to the parent's satisfaction and a formal complaint is unavoidable, the parent and the school should follow the complaints procedure set out in this document.

Aims of the Complaints Procedure

- Encourage resolution of problems by informal means wherever possible
- Be easily accessible and publicised
- Be simple to understand and use
- Be impartial
- Be non-adversarial
- Allow swift handling with established time limits for action and keeping people informed of the progress
- Ensure a full and fair investigation by an independent person where necessary
- Respect people's desire for confidentiality
- Address all the points at issue and provide an effective response and appropriate redress where necessary
- Provide information to the school/academy senior management team so that services can be improved

What is covered by these procedures

The procedures govern complaints made by parents or carers of children who attend the school. Guidance on the procedure for other types of complaint is given in Appendix 2.

What is not covered

These procedures for Complaints do not cover:

- Child Protection Procedures;
- Appeals about admissions;
- Appeals to governors' discipline committee against permanent exclusion from school;
- Staff Disciplinary Procedures.

3. Arrangements for Monitoring and Review

This policy shall be reviewed in full by the Trust at least once every three years in accordance with the Academy Year Planner. The Policies Administrator shall inform the Board of any changes to statutory or non-statutory guidance relating to Academies and complaints procedures.

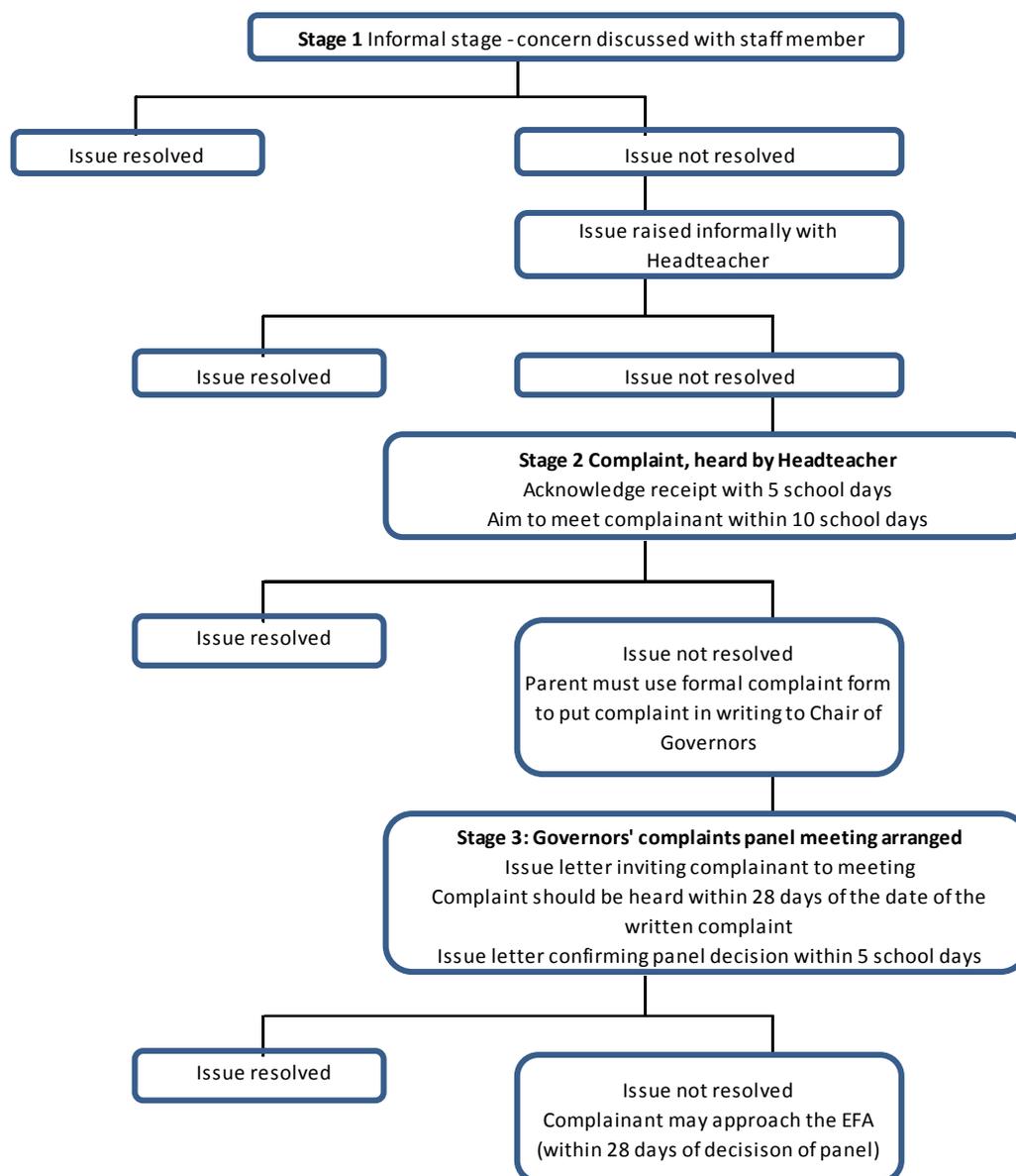
The Schools will maintain a log of all complaints received. A full written record of the progress and final outcomes of all complaints will be maintained.

The Trust will monitor and review the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary.

Complaints information shared with the Trust will not name individuals.

As well as addressing an individual’s complaint, the process of listening to and resolving complaints will contribute to the school’s/Trust’s improvements. When individual complaints are heard, the school will identify underlying issues that need to be addressed. The monitoring and review of complaints by the school and by the Trust will be used as a tool to evaluate the school’s performance.

4. Flowchart for dealing with Complaints



4.1 Time limits

Complaints need to be considered and resolved, as quickly, and efficiently as possible. Although this procedure sets time limits for each action within each stage, where further investigations are necessary, new time limits can be set. The complainant will be sent details of the new deadline and an explanation for the delay.

5. Informal complaints – Stage 1

The Trust firmly believes that it is in everyone's interest that complaints are resolved at the earliest possible stage. Most concerns, complaints or potential complaints can be resolved by talking to the member of staff concerned. If there is something a parent is not happy about or parents do not understand why the school or Trust is doing something in a particular way, they should make contact and discuss their concerns with the teacher or another member of staff. If their child has Special Educational Needs (SEN) parents may find it helpful to talk to the Inclusion Manager, Mrs Baillie-Lane.

The Trust hopes that most complaints can be settled quickly and informally, offering one or more of the following:

- an explanation
- an apology
- an admission that the situation could have been handled differently or better
- an assurance that the event complained of will not recur
- an explanation of the steps that have been taken to ensure that it will not happen again
- an undertaking to review policies in light of the complaint.

The ability to consider concerns or complaints objectively and impartially is crucial. If a complainant believes he/she would have difficulty discussing a complaint with a particular member of staff, this will be respected and the complainant referred to another staff member. Similarly, if the member of staff directly involved feels too compromised to deal with the complaint, he/she may ask the Headteacher to refer the complainant to another staff member.

Governors should not normally be involved in the early stages of a complaint or outside the formal procedure in case they are needed to sit on a panel at a later stage.

6. Formal Complaints – Stage 2

If the matter is not resolved to the parents' satisfaction through the informal process outlined in *Section 5*, then the complaint should be addressed to the Headteacher. The complaint should be acknowledged within five school days of receipt. The Headteacher should then aim to resolve the complaint within 10 school days (but see Para. 4.1); this might involve discussion with the Chair of Governors working together to investigate the complaint. If a governor is approached by a parent informally, then the governor should steer the parent towards discussion with the Headteacher.

The Headteacher may delegate the task of collating information to another staff member but may not delegate the decision on the action to be taken.

7. Formal Complaints – Stage 3

If the parents are not satisfied with the response of the Headteacher (or if the complaint is about the Headteacher), the school will give them a copy of the Trust's Complaints Procedure and ask them to set out their complaint in writing, by completing the complaint form shown in *Appendix 1* and sending it to the Chair of Governors to request that their complaint is considered further.

The Chair of Governors will arrange for the complaint to be investigated and considered by a Complaints Panel consisting of at least three people who were not directly involved in the matters detailed in the complaint, one of whom must be independent of the management and running of the school. NB A governor may not serve as the independent panel member. The hearing should take place within 28 days of receipt of the written complaint (but see Para 4.1).

The panel will offer the parent an opportunity to talk about the complaint in the course of the investigation, prior to the complaint hearing. This might clarify the outstanding matters of complaint which remain unresolved and what outcome is sought by the complainant.

Parents should be provided with full details of how the Complaints Panel will conduct the further investigation. The Complaints Panel hearing is the last school-based stage of the complaints process and is not convened merely to rubber-stamp previous decisions. The aim of the hearing will always be to resolve the complaint and achieve reconciliation between the school and the complainant.

A formal hearing is the best way for parents and for the Trust to be satisfied they have had a proper opportunity to be listened to by governors. Everyone should also be informed in advance of the order of proceedings for complaint hearings. Both parties should make available to the panel, in advance, any written information they intend to use in the formal hearing.

7.1 Who can attend a Stage 3 hearing?

At any meeting parents may be accompanied by a friend or representative who may speak on their behalf. This person could be an interpreter of their choice and parents should be encouraged to arrange this where necessary.

The Chair of the panel may invite to the meeting any person who may help establish the facts of the complaint. Parents need to be told who this person is before the meeting.

Any member of staff required by governors to attend any meeting or hearing will have the opportunity to be accompanied or represented.

A member of staff named by parents in the complaint may also choose to attend a meeting even if not required to do so by governors and may be represented. If this happens, parents should be told beforehand.

7.2 What happens after the investigation/hearing?

When the complaint has been fully investigated and the hearing has taken place, the Chair of the Complaints Panel or the governor responsible for the investigation should notify the parents of the findings in writing within five school days of the hearing date.

The panel can:

- 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;
- recommend changes to the Trust's systems or procedures to ensure that problems of a similar nature do not recur.

Without disclosing any personal details, an outline report of the complaint hearing, together with the panel's findings and any recommendations should be published to the Governing Body as a confidential item. A meeting of the Governing Body must accept the findings but can accept, reject or reject in part, the recommendations

The Chair of Governors will write to the parents to confirm any actions agreed by the Governing Body. Any agreed actions must be implemented by whoever it applies to – this could be the Governing Body as well as the Headteacher. Parents should also be informed whether and how they can take their complaint further – *see Section 9*.

7.3 Summary of Actions

The person investigating the complaint will:

- Establish what has happened so far and who has been involved
- Clarify the nature of the complaint and what remains unresolved
- Meet with the complainant or contact them (if unsure or further information is necessary)
- Clarify what the complainant feels would put things right
- Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish

- Conduct the interview with an open mind and be prepared to persist in the questioning
- Keep notes of the interview

The school will:

- Deal with the complaint honestly, politely and in confidence
- Investigate the complaint thoroughly and fairly
- Assess the level of urgency and deal with the complaint accordingly
- Provide updates on progress at each stage
- Offer an apology if a mistake has been made
- Advise the actions taken to put things right
- Provide a full and clear written reply to a formal complaint.

8. Taking the matter further

In most cases it is expected that parental complaints will be satisfactorily resolved following formal complaint to the Governing Body.

As academies operate independently of the Local Authority it should be noted that the Local Authority is unable to investigate complaints regarding The Crabtree Academy Trust even if the complaint relates to Special Educational Needs provision. Accordingly, any complaint relating to either of the Crabtree Schools, which has not been satisfactorily resolved through the Trust's complaints procedure, should be addressed to:

Department of Education,
Education Funding Agency (EFA),
Castle View House,
East Lane,
Runcorn,
Cheshire.
WA7 2GJ

or posted via the DfE website on the '*Complaints about Academies*' page.

It should be noted that if parents remain dissatisfied following the outcome of their Stage 3 hearing and wish to take their complaint to the EFA, they must do so within 28 days of receiving the written outcome of the hearing. After 28 days, neither the Trust nor EFA is under any obligation to investigate or progress the complaint any further.

9. Vexatious complaints

The Trust's complaints procedure aims to clarify any misunderstandings that might have occurred to ensure a positive atmosphere in which to discuss any outstanding issues and limit the number of complaints that become protracted. However, it is recognised that there may be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied.

A vexatious complaint is likely to involve some or all of the following:

- the complaint arises from a historic and irreversible decision or incident;
- contact with the school is frequent, lengthy, complicated and stressful for staff;
- the complainant behaves in an aggressive manner to staff when he/she presents his/her complaint or is verbally abusive or threatening;
- the complainant changes aspects of the complaint partway through the complaint process;
- the complainant makes and breaks contact with the school on an ongoing basis; or

- the complainant persistently approaches the school through different routes about the same issue in the hope of getting different responses.

If a complainant tries to reopen the same issue, the Chair of the Local Governing Body will write to inform them that the procedure has been exhausted and that the matter is now closed. If the complainant writes again on the same issue, then the correspondence may be recognised as vexatious and there will be no obligation on the part of the school to respond.

NB If following resolution of an initial complaint, a complainant raises an entirely new, separate complaint, this must be responded to in accordance with the complaints procedure.

If there is a complete breakdown of relations between the complainant and the school, a decision may be made to restrict contact, e.g.

- requesting contact in a particular form (e.g. letter only);
- requiring contact to take place with a named member of staff (e.g. Headteacher);
- restricting telephone calls to specified days and times;
- asking the complainant to enter into an agreement about his/her future contact with the school; and
- informing the complainant that if he/she still does not follow the advice given any further correspondence that does not present significant new matters or new information will not necessarily be acknowledged, but should be kept on file.

What actions do you feel might resolve the problem at this stage? What would you like us to do to put things right?

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Are you attaching any paperwork? If so, please give details.

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Signed	
Name in capitals	
Date	

Please return this form to the Chair of Governors, via the School Office or by email: governors@crabtreejm.herts.sch.uk or governors@crabtreeinfants.herts.sch.uk, as appropriate.

Official use:			
Date Complaint received			
Date Complaint acknowledged (Must be within 5 days)		By Whom	
Referred to		Date	

Appendix 2: Guidance on how the Trust deals with other types of complaints

a Complaint made by one member of staff against another (including the Headteacher)

Complaints from members of staff are not covered by this procedure. They will be dealt with by the Headteacher (where appropriate) or the Chair of Governors informally in the first instance. If this approach fails to resolve the issue, the next step would be for the Staff Grievance Procedure to be invoked (by the person bringing the grievance).

b Complaint made by a Governor about a member of staff

This will be dealt with through this complaints procedure. The Governor concerned will have to withdraw from any meeting at which the complaint or its outcome is being discussed. If the complaint is related to the *conduct* of a member of Staff, it will be dealt with through the school's Disciplinary Procedures.

c Complaint by a member of staff against an individual Governor acting in a personal capacity

The Chair of the Governing Body (or the Vice-Chair if the complaint is against the Chair) should attempt to resolve the matter informally. If such a resolution is not possible, and with the agreement of the Governor concerned, a Panel of Governors will be set up to consider the matter as under the complaints procedure in this document.

d Complaint by a member of staff against the action/decision of the Governing Body or Board of Directors

If the decision was taken at a meeting of the full Governing Body the matter will be referred to the Board of Directors. If the decision was taken at a meeting of the Board of Directors, the matter will be put on the agenda for review at another meeting and if the decision was then confirmed that would be the end of the matter. If a committee or individual with delegated authority took the original decision, then a Panel of Governors who were not involved in the decision will review the matter, ensuring that complainant is given an opportunity to state his/her case to the Panel. Any decision by the Panel will be final.

e Complaint by a member of the public (not a parent)

Complaints from members of the public will be dealt with by the Headteacher and, beyond that, the Chair of Governors.

f Complaint by a parent whose child no longer attends the school

The purpose of this complaints procedure is to ensure that if an error has been made, or an injustice done, some action can be taken to remedy matters for the injured party. Where parents have removed their child from the roll of a school, it is clearly impossible for the Governing Body to put things right for that child. However, the Governing Body has a duty of care to the pupils who remain on roll and will investigate the circumstances to satisfy themselves that no-one had acted inappropriately and that procedures and policies had been followed correctly. Whilst no Governors' Complaint Panel will be convened, parents will be informed whether the complaint had been upheld or otherwise and of any changes to practice and procedures which have been agreed by the Governing Body.