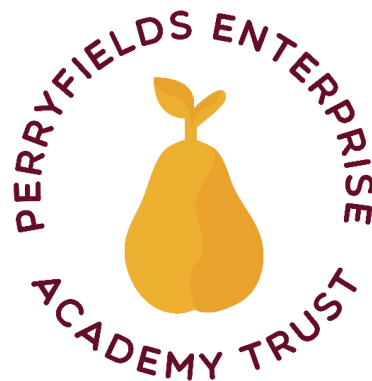


Perryfields Enterprise Academy Trust

Complaints Policy and Procedures



Complaints Policy and Procedures	
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SUMMARY OF CHANGES – MAY 2020	
Page	Detail
8	New section on record keeping

Perryfields Enterprise Academy Trust (PEAT)

Complaints Policy and Procedures

Introduction

This policy statement sets out the Trust's and our schools approach to dealing with parental concerns and complaints. It details the relevant procedures to follow should you have any concerns.

Guidance:

- We value good home/school relations and will, therefore, do everything we can to establish and maintain them. This includes seeking to resolve any concerns or complaints promptly, and to the satisfaction of all concerned.
- We welcome feedback on what parents feel we do well, or not so well, as a school. We will consider carefully all feedback, whether positive or negative, and will review our policies and practices accordingly.
- We will treat all concerns and complaints seriously and courteously and will advise parents and others of the school's procedures for dealing with their concerns. In return, we expect parents and other complainants to behave respectfully towards all members of the school community. In particular, any disagreement with the school should not be expressed inappropriately or in front of pupils, parents, the community and via social media. See Parental Code of Conduct

Policy.

- All PEAT school staff, teaching and non-teaching; and members of the Board and Local Governing Body, will receive a copy of this policy statement and will be familiar with the school's procedures for dealing with parental concerns and complaints, to which they will have access as required.
- The procedures will be reviewed regularly and updated as necessary.
- Staff and LGB governors will receive training in handling parental concerns and complaints as appropriate. This may be on an individual basis; or as a group activity for all staff; or for specific groups, such as the office staff or members of the Local Governing Body. Training will be carried out according to any PEAT or Government changes in policy.
- Whilst we will seek to resolve concerns and complaints to the satisfaction of all parties, it may not be possible to achieve this in every case. We will, therefore, use our option to close a complaint before all the stages of the school's procedures have been exhausted, if this appears to be appropriate.
- PEAT advocates resolution of parental concerns and complaints at school level wherever possible, in the interests of maintaining good home/school relations. The role of the Local Governing Body and PEAT in advising parents and schools on the handling of concerns and complaints is set out in the school's procedures.

Complaints Procedures

Procedures for dealing with concerns

Concerns from parents, carers and others are dealt with as follows:

Stage 1

This aims to resolve the concern through informal contact at the appropriate level in school (as described on pages 2 and 3 of this guidance).

Stage 2

This is the first formal stage at which written complaints are considered by the Headteacher or the Chair of the Local Governing Body.

Stage 3

If a complaint is not resolved at Stage 2, it will then be referred to a panel of the LGB.

Stage 4

If a complaint has not been resolved at Stage 3 it will be referred to the Board of PEAT who will review and comment upon the way we have dealt with the complaint.

How each of these stages operates is explained below:

Stage 1 **Informal contact with the school - Class Teacher**

1. Many concerns will be dealt with informally when you make them known to us. The first point of contact should be your child's teacher or School Office Staff if they are not available
2. We will see you, or contact you by telephone or in writing, as soon as possible after your concern is made known to us. All members of staff know how to refer, if necessary, to the appropriate person with responsibility for particular issues raised by you. They will make a clear note of the details and will check later to make sure that the matter has been followed up.
3. We will ensure that you are clear what action or monitoring of the situation, if any, has been agreed.
4. We will ensure that we speak directly to all appropriate persons who may be able to assist us with our enquiries into your concern. If the Class Teacher considers it appropriate, the matter may be referred on an informal basis to the Headteacher
5. We will discuss with you (normally within ten working days) the progress of our enquiries. You will have the opportunity of asking for the matter to be considered further, once we have responded to your concern.
6. If you are still dissatisfied following this informal approach, your concern will become a formal complaint and we will deal with it at the next stage.

Stage 2 Formal consideration of your complaint - The Headteacher

This stage in our procedures deals with written complaints. It applies where you are not happy with the informal approach to dealing with your concern, as outlined under Stage 1 above.

1. A written complaint should be addressed to the Headteacher. If, however, your complaint concerns the Headteacher personally, it should be sent to the school marked "For the attention of the Chair of The Local Governing Body"
2. The school will acknowledge your complaint in writing as soon as possible after receiving it. This will be within three working days.
3. We will enclose a copy of these procedures with the acknowledgement.
4. Normally we would expect to respond in full within ten working days but if this is not possible we will write to explain the reason for the delay and let you know when we hope to be able to provide a full response.
5. As part of our consideration of your complaint, The Headteacher/Chair of LGB may invite you to a meeting to discuss the complaint and fill in any details required. If you wish, you can ask someone to accompany you to help you explain the reasons for your complaint.
6. The Headteacher, or Chair of The Local Governing Body may also be accompanied by a suitable person if they wish.
7. Following the meeting, the Headteacher or Chair of Local Governing Body will, where necessary, talk to witnesses and take statements from others involved. If the complaint centres on a pupil, we will talk to the pupil concerned and, where appropriate, others present at the time of the incident in question.
8. We will normally talk to pupils with a parent or carer present, unless this would delay the investigation of a serious or urgent complaint, or where a pupil has specifically said that he or she would prefer the parent or carer not to be involved. In such circumstances, we will ensure that another member of staff, with whom the pupil feels comfortable, is present.
9. If the complaint is against a member of staff, it will be dealt with under the school's internal confidential procedures, as required by law.
10. The Headteacher or Chair of Local Governing Body will keep written/typed, signed and dated records of all meetings and telephone conversations, and other related documentation.
11. Once we have established all the relevant facts, we will send you a written response to your complaint. This will give a full explanation of the Headteacher's or Chair of Local Governing Body's decision and the reasons for it. If follow-up action is needed, we will indicate what we are proposing to do. We may invite you to a meeting to discuss the outcome as part of our commitment to building and maintaining good relations with you.

12. The person investigating your complaint may decide that we have done all we can to resolve the complaint, in which case we may use our discretion to close the complaint at this point. Please see the next page for further information about this process.
13. If we do not close the complaint after Stage 2, you may wish to proceed to Stage 3, as described below

Closure of complaints

Very occasionally, a school will feel that it needs, regretfully, to close a complaint where the complainant is still dissatisfied.

The School will do all we can to help to resolve a complaint against the school but sometimes it is simply not possible to meet all of the complainant's wishes. Sometimes it is simply a case of "agreeing to disagree".

If a complainant persists in making representations to the school – to the Headteacher, designated governor, Chair of governors or anyone else – or to PEAT, this can be extremely time-consuming and can detract from our responsibility to look after the interests of all the children in our care.

For this reason, we are entitled to close correspondence (including personal approaches, as well as letters and telephone calls) on a complaint where we feel that we have taken all reasonable action to resolve the complaint. PEAT will support us in this position, and especially where the complainant's action is causing distress to staff and/or pupils.

In exceptional circumstances, closure may occur before a complaint has reached Stage 3 of the procedures described in this document. This is because a complaints panel takes considerable time and effort to set up and we must be sure that it is likely to assist the process of investigating the complaint.

The Chair of The Local Governing Body may decide, therefore, that every reasonable action has been undertaken to resolve the complaint and that a complaints review panel would not help to move things forward. This does not, of course, prevent you from referring your complaint to PEAT for a review of the way it has been handled, as described below.

Stage 3 - Consideration by a complaints review panel - The Local Governing Body

If your concern has already been through Stages 1 and 2 and you are not happy with the outcome, The Headteacher or Chair of The Local Governing Body can agree to set up a complaints review panel to consider it. This is a formal process, and your ultimate recourse at school level. The Chair of The Local Governing Body has discretion to agree to this form of meeting where he or she feels it would be helpful in resolving the complaint.

The purpose of this arrangement is to give your complaint a hearing in front of a panel of Local Governors who have no prior knowledge of the details of the complaint and who can, therefore, consider it without prejudice.

1. The aim of a complaints review panel is to resolve the complaint and to achieve reconciliation between the school and the parent. We recognise, however, that it may sometimes only be possible to establish facts and make recommendations which will reassure you that we have taken your complaint seriously. The complaints review panel operates according to the following formal procedures:
2. The clerk to the governing body will aim to arrange for the panel meeting to take place within 20 working days.
3. The clerk will ask you whether you wish to provide any further written documentation in support of your complaint. You can include witness statements, or ask witnesses to give evidence in person, if you wish.
4. The Headteacher will be asked to prepare a written report for the panel. Other members of staff directly involved in matters raised in your complaint will also be asked to prepare reports or statements.
5. The clerk will inform you, the Headteacher, any relevant witnesses and members of the panel by letter, at least five working days in advance, of the date, time and place of the meeting. We hope that you will feel comfortable with the meeting taking place in the school; but we will do what we can to make alternative arrangements if you prefer.
6. With the letter, the clerk will send you all relevant correspondence, reports and documentation about the complaint and ask whether you wish to submit further written evidence to the panel.
7. The letter will explain what will happen at the panel meeting and the clerk will also inform you that you are entitled to be accompanied to the meeting. The choice of person to accompany you is your own, but it is usually best to involve someone in whom you have confidence but who is not directly connected with the school. They are there to give you support but also to witness the proceedings and to speak on your behalf if you wish.
8. With the agreement of the Chair of the panel, the Headteacher may invite members of staff directly involved in matters raised by you to attend the meeting,
9. The Chair of the panel will bear in mind that the formal nature of the meeting can be intimidating for you and will do his or her best to put you at your ease.
10. As a general rule, no evidence or witnesses previously undisclosed should be introduced into the meeting by any of the participants. If either party wishes to do so, the meeting will be adjourned so that the other party has a fair opportunity to consider and respond to the new evidence.
11. The Chair of the panel will ensure that the meeting is properly minuted. Please understand that any decision to share the minutes with you, the complainant, is a matter for the panel's discretion and you do not have an automatic right to see or receive a copy. Since such minutes usually name individuals, they are understandably of a sensitive and, therefore, confidential nature.

12. Normally, the written outcome of the panel meeting, which will be sent to you, should give you all the information you require. If, however, you feel that you would like to have a copy of the minutes it would be helpful if you could indicate this in advance. If the panel is happy for the minutes to be copied to you, the clerk can then be asked maintain confidentiality in the minutes.
13. During the meeting, you can expect there to be opportunities for:
 - you to explain your complaint;
 - you to hear the school's response from the Headteacher;
 - you to question the Headteacher about the complaint;
 - you to be questioned by the Headteacher about the complaint;
 - the panel members to be able to question you and the Headteacher;
 - any party to have the right to call witnesses (subject to the Chair's approval)
 - all parties to have the right to question all witnesses;
 - you and the Headteacher to make a final statement.
14. In closing the meeting, the Chair will explain that the panel will now consider its decision and that written notice of the decision will be sent to the Headteacher and yourself within two weeks. All participants other than the panel and the clerk will then leave.
15. The panel will then consider the complaint and all the evidence presented in order to:
 - reach a unanimous, or at least a majority, decision on the complaint;
 - decide on the appropriate action to be taken to resolve the complaint;
 - recommend, where appropriate, to the governing body changes to the school's systems or procedures to ensure that similar problems do not happen again.
16. The clerk will send you and the Headteacher a written statement outlining the decision of the panel within two weeks. The letter will explain that you are entitled to have the handling of the complaint reviewed by P.E.A.T under Stage 4 of the procedures.
17. We will keep a copy of all correspondence and notes on file in the school's records but separate from pupils' personal records.

Stage 4 - Perryfields Academy Trust Review

1. PEAT encourages parents and others with concerns about schools to discuss the issues firstly with the Headteacher of the school. The majority of concerns about children's education and welfare can be resolved in this informal way, which helps to build and maintain good relations between the school and parents.
2. If you come to PEAT without first having gone through the above procedures, we will explain to you that you must go back to the school in the first instance and follow its procedures.
3. PEAT's role in facilitating the resolution of complaints about our schools is a carefully balanced one. We try to maintain an objective stance, giving you and the school the information and any guidance you need to move the matter forward.
4. PEAT will establish whether the Local Governing Body and Headteacher have followed the school's complaints procedure and review all written records.
5. PEAT will aim to send you, and the school, the outcome of the review within ten working days but will let you know if it is likely to take longer. The letter will state our view of the way the complaint has been handled and will give any appropriate recommendations for yourself and the governing body to consider as a way forward.
6. If you wish to pursue your complaint beyond Academy level, you can write to the Secretary of State for Education and Skills at the address shown below:

Secretary of State
 Department for Education and Skills (DfE)
 Sanctuary Buildings
 Great Smith Street
 LONDON
 SW1P 3BT

We would advise parents that, unless the school and/or PEAT is shown to have behaved unreasonably or not to have followed their own procedures, there is likely to be little further action that can be taken, as MAT Academies are empowered to deal with many issues without reference to either the local authority or the Secretary of State.

Record Keeping

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through

a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and record retention schedule.

The details of the complaint, including the names of individuals involved, will not be shared with the whole governing board in case a review panel needs to be organised at a later point.