



Sola Fide C of E Multi Academy Trust Complaints Policy

St. Chad's – a successful, inspirational learning community taking the courage to: innovate; ignite curiosity; learn creatively; love unconditionally; and serve others.

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This policy meets the standards set out in the Education (Independent School Standards (England) Regulation 2014 Schedule 1 Part 7) which sets out how complaints procedures should be drawn up and used effectively to handle complaints from parents of pupils.

This policy relates to most general complaints and is not written to cover those matters for which there is a specific statutory requirement, in particular complaints under Section 409 of the Education Act 1996 about the delivery of the National Curriculum and the provision of religious education and collective worship.

Separate procedures also exist for appeals about special needs assessments and school admissions and exclusions. Concerns about allegations of child abuse and staff discipline would need to be dealt with through the Directors' Board and LA procedures that have been adopted for these purposes.

Parents are informed within the individual school's prospectus that this procedure exists.

Concerns

It is natural that parents/carers may, occasionally, be concerned about an aspect of their child's education or welfare. This could include issues relating to aspects of the curriculum, homework or behaviour. Sola Fide Church of England Multi Academy Trust (The Trust) welcomes enquiries from parents or carers. Teachers and other staff will explain Trust practices and policies and how they affect pupils. The vast majority of concerns will be handled by the class teacher and the usual format is to speak to the child's class teacher. If, occasionally, parents and carers feel that they must state their concern formally, The Trust has procedures for handling complaints.

General Principles:

- Parents are given information about how they can raise concerns or lodge a complaint with any individual school within The Trust or with Sola Fide itself. A copy of this procedure can be found on the website of all our individual schools and on the Sola Fide website.
- This procedure has been written so that, where possible, a swift, consistent and fair resolution is achieved.
- A complaint is distinct from any formal disciplinary procedure. Staff who may be questioned as part of a complaint's procedure are fairly treated and have an opportunity to put forward their case.
- Confidentiality is considered to be a vital part of the procedure. All conversations and correspondence are treated with discretion. It is intended that parents feel confident that a complaint will not disadvantage their child in any way.

Anonymous complaints will be disregarded unless someone is prepared to substantiate the complaint. All parties involved in a complaint will need to realise that some information may be shared in order to carry through an investigation.

- If the outcome of a complaint is that an individual school (or The Trust) is shown to be at fault, then the school (or The Trust) will look at making amends in an appropriate way.
- Staff and Advocate Teams at the schools will have the opportunity, where appropriate, to take part in training to raise awareness of complaint procedures and develop skills in dealing with people who wish to complain.
- All complaints will be recorded and monitored to allow for any outcomes to be realised by the school.
- Time frames are clearly indicated. However, it should be noted that days indicated are school days.

Vexatious Complaints

Where the Trust considers that a complainant is carrying out unreasonable behaviour, for example making unduly frequent and/or repeated complaints, the Trust will be entitled to take such action as it thinks to manage such behaviour.

This may include (but is not limited to) placing limits on contact with staff or opting not to invoke the complaints procedure. Where such action is being considered by the Trust, the complainant will receive a written warning. Should the behaviour persist, the appropriate action will be determined proportionately in light of the nature of the behaviour in question and any other relevant circumstances.

Guidelines

Stage 1: Informal

- The vast majority of concerns or complaints can be resolved informally, often straight away by the class teacher or Head of School, depending on whom the parent makes contact with first.
- Our schools aim to ensure that parents feel able to raise concerns with staff without undue formality, either in person, by telephone or in writing. There may be occasions when it is appropriate for someone to act on behalf of a parent in such an approach.
- It is understood that parents may not be clear at first that they are making a complaint. They may wish to ask a question or express an opinion. A preliminary

discussion with school staff may be needed to clarify the issue and help to decide whether the parent wishes to take the matter further.

Procedure

Stage 1:

- Parents will be able to have an informal discussion regarding any concerns with an appropriate member of staff. This discussion will be to clarify the nature of the parent's concern and assure them that the school wishes to hear about them. The discussion will also aim to clarify what kind of outcome the parent is seeking.
- If the member of staff first contacted cannot deal with the matter immediately, s/he will make a firm arrangement to deal with it at a future date or refer the matter to another member of staff. In either case a note will be made of the parent's (complainant) name, the date and contact details.
- If the matter is referred, either because the person first contacted is not available or it is best dealt with by another member of staff, then the first contact will be expected to check later to see that the referral has been made successfully.
- The Head of School will ensure that staff have guidelines about when to refer a matter. In all cases, members of staff dealing with a complaint at this stage will make a note of the date, time, details and outcome and inform the Head of School.
- We will ensure that we speak directly to all appropriate persons who may be able to assist us with our enquiries into your concern.
- The Head of School reserves the right to decide to deal directly with a matter at this stage if it seems the most appropriate course of action to take.
- If the complaint relates to the Head of School, the complainant will be advised to contact a member of the Advocate Team via the school.
- The staff member dealing with the complaint will make sure that the complainant is clear what will happen next (if anything). This will be put in writing only if it seems the best way of making the outcome clear.
- If no satisfactory solution can be found (normally within 10 **school** days), the complainant will be asked if they wish their concern to be considered further. If so, they will be given clear information on how to proceed, and any advice and support will be made available to them.

Guidelines

Stage 2: Formal

- This is the stage when it becomes clear there is a need to formalise the complaint. The Head of School will ensure that the guidelines and procedures are used consistently at this stage to make sure nothing happens which would prejudice

the later stages of the procedure. In, particular, directors will not become involved at this stage so that any future involvement is not prejudiced.

- The Head of School will take responsibility for the implementation of the complaints' process, including the decision about his/her involvement at various stages. One of the reasons for having different stages in the procedure is to re-assure parents that their concern is being heard by more than one person. The Head of School will try to make arrangements to ensure that their involvement does not dominate every stage of the process.
- Normally arrangements will be made to ensure that staff deal with complaints made at Stage 1, and for the Head of School to deal with any complaints that proceed to Stage 2. Even at Stage 2 the Head of School reserves the right to designate the complaint to another member of staff for further investigation. Conversely, if the Head of School has been so involved at Stage 1 a member of the Advocate Team may carry out Stage 2.

Procedure

Stage 2:

- Parents who wish to pursue a complaint to Stage 2 will be asked to put the complaint in writing to the school. The Head of School (or designated member of staff) will acknowledge the complaint orally or in writing normally within 3 **school** days of receipt giving a brief explanation of the complaints' procedures and a target date for providing a response. This will normally be within 10 **school** days. If for any reason it is not possible to deal with the matter in this time the complainant will be informed of when it is likely to be concluded.
- The Head of School (or designated member of staff) will provide an opportunity for the complainant to meet him/her. The complainant will be allowed to be accompanied by a friend or relative who can speak on their behalf, if s/he wishes. Interpreting facilities will be made available, where appropriate.
- The Head of School may also be accompanied by a suitable person if they wish and you will be informed of this prior to the meeting
- As part of our consideration of your complaint we may involve a member of the Advocate Team from the individual school.
- Following the meeting the Head of School will, where necessary, talk to witnesses and take statements from others involved. If the complaint centres around another pupil, we will talk to the pupil concerned and, where appropriate, others present at the time of the incident in question.
- The Head of School (or designated member of staff) will keep written records of meetings, telephone conversations and other documentation.

- Once all the relevant facts have been established, the Head of School (or designated member of staff) will arrange a further meeting with the complainant to discuss or resolve the matter. This meeting will be followed up with a letter setting out the outcomes of the meeting. This will give a full explanation of the Head of School's decision and the reasons for it. If follow up action is required, 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.
- The complainant will be advised in this letter that if they wish to take the complaint further s/he should notify the Company Secretary of the Trust within 5 weeks of receiving the letter detailing the outcome of the complaint.
- If the complaint is against the action of the Head of School, a member of The Advocate Team will carry out all the Stage 2 procedures.
- If you are not satisfied with the outcome of the Stage 2 investigation and the school's findings you may wish to proceed to stage 3.

Guidelines

Stage 3: Independent

- Upon receipt of the letter the Company Secretary will set up a review panel to undertake an investigation. This is a formal process and your ultimate recourse at Trust level.
- The purpose of this arrangement is to give your complaint a hearing in front of a panel of Directors. One panel member will be independent of the management and running of the academy. All panel members will have no prior knowledge of the details of the complaint and can, therefore, consider it without prejudice.
- The aim of the complaints' review panel is to resolve the complaint and to achieve reconciliation between the school or The Trust and the parent or carer. We recognise that it may sometimes only be possible to establish facts and make recommendations which will reassure you that we have taken your complaint seriously.
- Complaints that reach this stage will do so because the complainant is not satisfied with the response so far. In this situation the directors will view the complaint as being against the school rather than one individual staff member whose actions may have led to the original complaint.

Procedure

Stage 3: Review by the Directors' Board

- The Company Secretary will write acknowledging receipt of the written request and informing the complainant that it will be heard by a committee of the Directors normally within 20 **school** days of receipt. The letter will also inform the complainant that they have the right to submit any further documents relevant to the complaint and that these must be received in time for circulation to the committee members. You can include witness statements or ask witnesses to give evidence in person if you wish.
- The letter will explain what will happen at the meeting and the Company Secretary will also inform you that you are entitled to be accompanied at 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 to the Trust. They are there to support you but also to witness proceedings and to speak on your behalf if you wish.
- The Head of school will be asked to prepare a written report for the panel. Other members of staff directly involved in matters raised in the complaint will also be asked to prepare reports or statements. Any involvement of other staff will be at the discretion of the Chair of the panel.
- The panel members will have had no prior involvement of the complaint. Generally, it will not be appropriate for the Head of School to have a place on the panel. The Directors will have regard for the advantages of having a mix of different types of panel members and be sensitive to the issues of equal opportunities in the composition of the panel.
- All relevant correspondence and documentation will be given to each panel member. The Chair of the panel will ensure the complainant, Head of School and any other witnesses are given 5 **school** days' notice in writing of the date, time and place of the hearing. The letter of notification to the complainant will inform him/her of their right to be accompanied by a friend/relative who can act as an advocate. The Chair will ensure that interpretation facilities for the hearing are offered and made available, if required. The letter will set out the procedure for the conduct of the hearing (see Annex A) and the complainant's right to submit further written evidence to the committee.
- Any relevant documents will be circulated to all concerned (including the complainant) at least 5 **school** days before the meeting of the committee.
- The Chair of the panel will ensure that the meeting is properly recorded. There is no automatic right for a complainant to see or receive a copy of the minutes and this is very much at the discretion of the panel. Since such minutes usually name individuals, they are understandably of a sensitive and confidential nature.

- The aim of the meeting will be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it may only be possible to establish the facts of a situation and make recommendations about future action which will satisfy the complainant that their complaint has been taken seriously.
- The Chair of the panel will try to ensure that the proceedings are as informal as possible and that the complainant feels at ease.
- 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.
- At the conclusion of the meeting, the Chair will explain that the panel will consider its decision and write to both parties with the outcome within 10 **school** days.
- The Head of School and any witnesses will then withdraw and the panel will consider its decision. This will include: a decision on the complaint; appropriate action to be taken by the school and where appropriate, recommendations on changes to the school's systems or procedures to ensure that similar problems do not arise in the future.
- The school will ensure that a copy of all correspondence (and notes) is kept on file in the school. This will be stored separately from pupil's personal records.
- This is the end of the Trust's complaint procedures.

The Role of the Education Skills Funding Agency (ESFA)

It is hoped that complaints are resolved within the framework of this policy. However, if once all stages of the procedure have been executed you are still not satisfied with the handling of the complaint you have the right of recourse to contact the Education Skills Funding Agency (ESFA).

They will not overturn an academy or Trust's decision about a complaint. However, if they find that an academy or the Trust did not deal with the complaint properly, they can request that the complaint is reviewed ensuring that procedures meet requirements as set out in the Regulations.

Contacting the ESFA

If you want ESFA to consider whether your complaint has been dealt with properly by the academy or the Trust, you must use the online [enquiry form](#) and tick the box that says complaint.

Annex A: Procedure for the Conduct of a Meeting to hear a Complaint

1. The Chair of the committee will invite everybody (except any witnesses) into the room, introduce them and explain the role of each person.
2. The Chair will explain to all present that the purpose of the hearing is to review a complaint and try to resolve the complaint and achieve a reconciliation between the school and the complainant.
3. The Chair will then ascertain whether the proposed procedure is acceptable. If so, the meeting will proceed along the following lines:
 - i. The Complainant will be given the opportunity to explain the complaint and may call witnesses.
 - ii. The Complainant will be given the opportunity to seek clarification from the Head of School and any witnesses.
 - iii. The Head of School will present the report on the complaint and may call witnesses.
 - iv. The Head of School will be given the opportunity to seek clarification from the complainant and any witnesses.
 - v. The Panel may seek clarification from the Head of School, the Complainant and any witnesses.
 - vi. The Complainant and Head of School will be given the opportunity to respond.
 - vii. The Head of School will be given the opportunity to sum up.
 - viii. The Complainant will be given the opportunity to sum up; and
 - ix. Both parties will leave the room to allow the panel to deliberate.
4. The committee should make a decision on the complaint; appropriate action to be taken by the school; and where appropriate, recommendations on changes to the school's systems or procedures to ensure similar problems do not arise in the future.
5. The decision will be confirmed in writing within 10 school days.
6. We will keep a copy of all correspondence on file in the school's records but separate from pupils' personal records.

Annex B: Guidance for staff Investigating the Complaint

The person/s investigating the complaint must make sure that they:

- clarify the nature of the complaint and what remains unsolved
- establish what has happened so far, and who has been involved
- meet with the Complainant if the Complainant requests a meeting
- meet with the complainant or contact them (if clarification or further information is required)
- ascertain what the complainant feels would put things right
- maintain an open mind
- conduct an investigation, analysing any relevant documents and interviewing those who may be involved and allowing them to be accompanied if they wish
- keep written records of the investigation

The Academy/Trust will retain written records of all the parts of investigation at each stage including notes of all meetings, interviews, discussions and telephone calls in case the complaint is taken further.

Annex C: Resolving the Complaint

At each stage in the procedure the school/Trust will keep in mind ways in which a complaint can be resolved. It may be sufficient to acknowledge that the complaint is upheld in whole or in part. Alternatively, the complaint may not be upheld, and this maybe because there is insufficient evidence to substantiate the complaint. To support the resolution, it will usually be appropriate to offer one or more of the following:

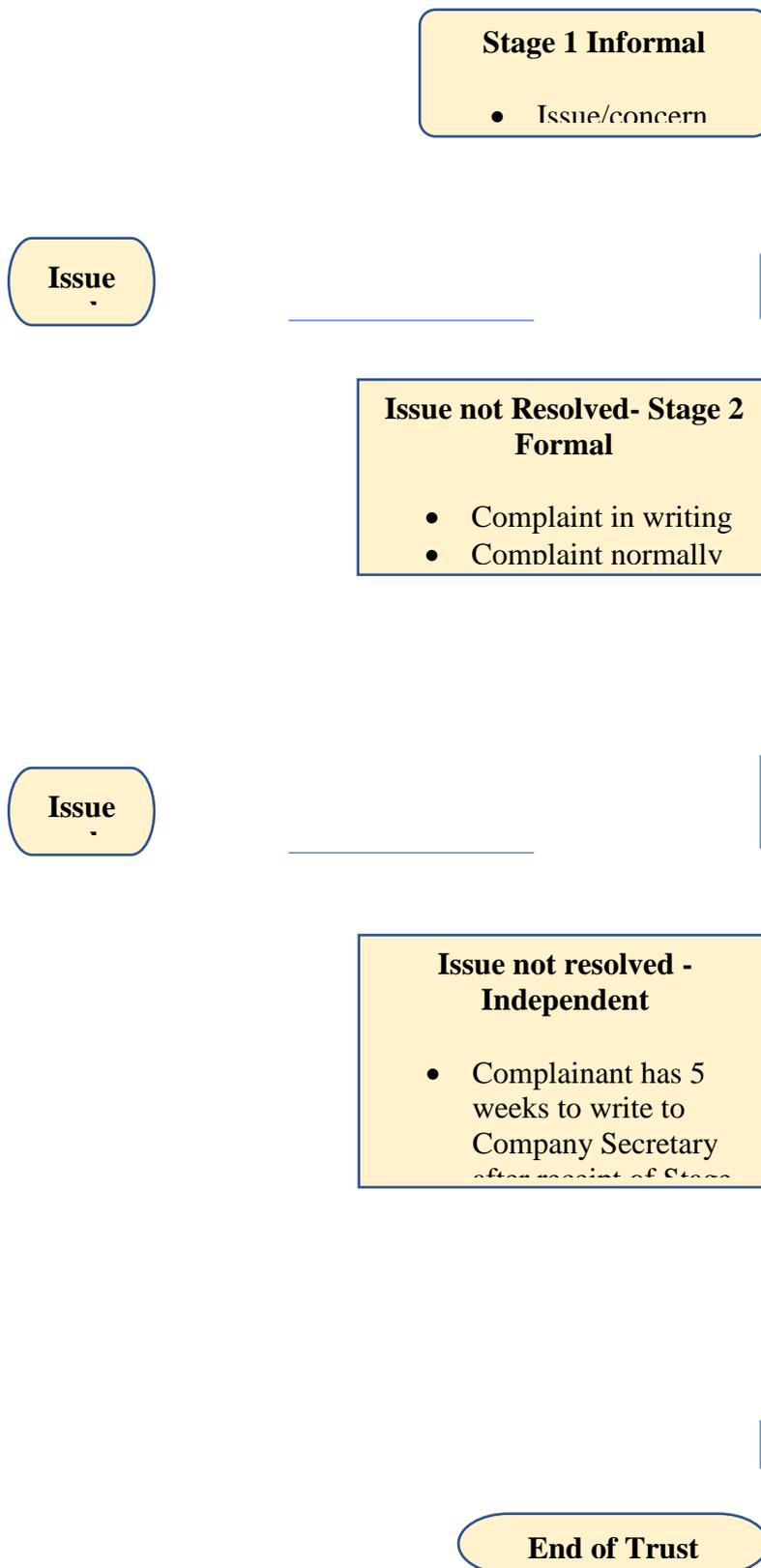
- an apology (which does not imply liability)
- an explanation (especially where the complaint is not upheld)
- an admission that the situation could have been handled differently or better
- an assurance that the event complained of will not recur
- an explanation of all steps taken
- an undertaking, if necessary, to review policies or procedures in light of the complaint

ANNEX D: The Academy/Trust Complaint Form

Please complete this form and return it to the Head of School (for Stage 2) or The Company Secretary (for Stage 3), who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:		
Relationship to pupil:		
Pupil's name:		
Your address:		
.....		
Daytime telephone number:		
Evening telephone number:		
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 a separate piece of paper, or attach additional paperwork, if you wish.		
Number of additional pages attached:		
What action, if any, have you already taken to try to resolve your complaint? (i.e. who have you spoken with or written to and what was the outcome?)		
What actions do you feel might resolve the problem at this stage?		
Signature:		
Date:		
Academy/Trust use	Date form received:	
	Received by:	
	Date and acknowledgement sent by:	
Complaint referred to:		-
Date:		-

Annex E: Process Flowchart



Data Protection Statement

The procedures and practice created by this policy have been reviewed in the light of our Data Protection Policy. All data will be handled in accordance with Sole Fide Church of England Multi Academy Trust's Data Protection Policy.

Data Audit for the Complaints Policy

What?	Portable Content	Why?	Who?	Where?	When?
Written Complaints	Name(s) of Pupil (s) Name of Complainant Staff name(s) Nature of Complaint	To explore and address concerns	Head of School Advocate(s) Director(s)	Paperwork/electronic records retained but stored separately from other pupil records	Deleted in accordance with policy

As such our assessment is that this policy:

Has Few/No Data Compliance Requirements			Has Moderate Level of Data Compliance Requirements			Has High Level of Data Compliance Requirements		
					x			