



**Quality First** Education Trust

# **Concerns and Complaints Policy**

Approved by: Board of Trustees on: 6<sup>th</sup> December 2018

Date of next scheduled review: November 2021

## Concerns and Complaints Policy

### Overview

All schools in the Quality First Education Trust will publish this policy on their website. This document sets out:

- A. The Trust's approach to dealing with concerns or complaints
  - B. Concerns or complaints by parents/carers of pupils at the school
  - C. Concerns or complaints by persons other than parents/carers
  - D. Persistent or Vexatious Complaints and/or Harassment
- Appendix: Overview of School Complaints Procedure (diagram)

### A. Our Approach to Dealing with Concerns or Complaints

Staff, local governors and trustees will treat all concerns and complaints seriously and take appropriate action to try and resolve them. It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Concerns and complaints can be investigated more effectively whilst information is fresh in the minds of all parties.

#### **Expectations**

##### **A person who raises concerns or a formal complaint can expect the school to:**

- explain how and when problems can be raised, and where to find this policy;
- make a copy of the policy available on request;
- respond within a reasonable time;
- be available for consultation within reasonable time limits, bearing in mind the needs of the pupils within the school and the nature of the complaint;
- respond with courtesy and respect;
- attempt to resolve problems using reasonable means in line with this procedure;
- keep them informed of progress towards a resolution of the issues raised.

##### **The school expects a person who raises concerns or a formal complaint to:**

- treat all school staff with courtesy and respect;
- respect the needs and well-being of pupils and staff in the school;
- avoid any use, or threatened use, of violence to people or property;
- avoid any aggression or verbal abuse;
- recognise the time constraints under which members of staff in schools work and allow the school a reasonable time to respond;
- recognise that resolving a specific problem can sometimes take some time;
- (in the case of a complaint) follow the agreed procedure.

#### **The difference between a concern and a complaint**

Issues raised at Stage 1 are classed as a concern. The issue will only be technically regarded as a complaint if it reaches Stage 3 (written complaint to the headteacher). However please be assured that regardless of the Stage, concerns will be treated seriously throughout.

**Points to note:**

- **Concerns about safeguarding, admissions and exclusions are managed through separate policies, available on our website.**
- **Concerns from staff members do not fall within the scope of this policy. Staff should raise any concerns with their line manager. They may also raise complaints via grievance or whistleblowing procedures, available separately.**
- Our aim is to resolve complaints as quickly and as informally as possible, and we will endeavour to follow the timescales set out in this policy. However, where this is not possible, we will keep you informed and provide an appropriate new timescale.
- Timescales in this policy refer to 'days'. These are defined as **school days**, when the school is open and staff and pupils are required to attend.
- If a written complaint (Stages 3 to 5) is received during a school holiday period or when the school is otherwise closed, the complaint will be progressed in accordance with this policy within 5 school days from when the school re-opens.
- All complaints and correspondence/hearings under the complaints policy are treated as confidential and will only be disclosed when required to do so by law. Trustees and local governors will review on an annual basis the operation of the complaints policy, the number of complaints received (both informal and formal) and the stage at which they were resolved.
- Please note that individual complaints will not be heard by the whole Local Governing Body or Board of Trustees at any stage, as this could compromise the impartiality of the complaints appeal panel, or any panel that may be set up for a disciplinary hearing against a member of staff following a serious complaint.
- Where a concern or complaint relates to the headteacher or the Chair of the Local Governing Body, alternative arrangements will be put in place to allow the concern or complaint to be considered appropriately. These arrangements will be notified to you following receipt of your concern or complaint.
- Depending on the nature of the issue raised, the process may be expedited and advanced through the Stages.
- Governors will not act unilaterally outside the formal procedure or be involved at the early stages, in case they are needed to sit on a panel at a later stage of the process. If at any stage a concern is raised with a local governor, they will refer the issue to the appropriate member of staff and advise you of the procedure.
- Written complaints under the terms of this policy (Stage 3 onwards) will be shared internally with the Trust's Complaints Officer and Executive Headteacher.
- We are an academy trust. The local authority has no role unless the complaint relates to a service provided by the local authority.

## B. Concerns or Complaints by Parents/Carers of Pupils at the School

The Trust operates a six stage procedure for parents. If you have a concern or complaint you should **follow the stages, in order**, until your concern is resolved.

### **Stage 1: Raise your concern with a member of staff**

In the first instance, you should discuss the issue with the member of staff most closely involved. The school will respect your views if you indicate that you would have difficulty discussing the concern with a particular member of staff, and in these cases you may wish to approach another member of staff for a discussion. Similarly, if the member of staff directly involved feels too compromised to deal with the concern, the concern will be referred to another member of staff via the senior leadership team. The member of staff will consider the concern objectively and impartially.

Timescale for response: You will receive a verbal or written response within 5 school days. If more time is required to investigate or to arrange a suitable time for discussion, you will be informed of the likely timescale within 5 school days.

### **Stage 2: Meet with a senior member of staff**

If your concern cannot be resolved at Stage 1, you may request a meeting with a senior member of staff. The senior leadership team will normally allocate an appropriate member of staff to meet with you, but the school will respect your views if you indicate that you would have difficulty discussing the concern with a particular member of staff. In these cases, you should refer the concern to the headteacher, who may refer it to another member of staff to investigate.

Timescale for response: The school will set up a face to face meeting within 10 school days. If more time is required to investigate, or to arrange a suitable time for a meeting, you will be informed of the likely timescale within 10 school days.

### **Stage 3: Written complaint to the headteacher**

If your concern cannot be resolved at Stage 2, you should submit a written complaint to the headteacher of the school, within 10 school days of Stage 2 being concluded. You may submit your complaint either by post or email, marked for attention of the headteacher. Please state that you are making a complaint under Stage 3 of the Complaints Policy. The headteacher will investigate and make every effort to resolve the issue. This may involve meeting with you. As part of the investigation, the headteacher may delegate the task of collating information to another staff member, but not the decision or action to be taken.

Timescale for response: The headteacher will acknowledge your written complaint within 5 school days; and write to you with the outcome of his/her investigation within a further 10 school days. If more time is required to investigate, you will be informed of the likely timescale within 10 days.

### **Stage 4: Written complaint to the Chair of the Local Governing Body**

If the complaint cannot be resolved at Stage 3, you may make a written complaint to the Chair of the Local Governing Body.

You will need to write to the Chair of the Local Governing Body, care of the school, or by email marked for the attention of the Chair of the Local Governing Body, within 10 school days of the date of the letter notifying you of the outcome of Stage 3.

Please state that you are complaining under Stage 4 of the complaints procedure. You should provide a copy of your written complaint at Stage 3, a copy of the headteacher's letter concluding Stage 3 and give details in writing of why you are not satisfied with the outcome. The Chair of the Local Governing Body will investigate and make every effort to resolve the issue. This may involve meeting with you and the headteacher.

Timescale for response: The Chair of the Local Governing Body will acknowledge your written complaint within 5 school days; and write to you with the outcome of his/her investigation within a further 10 school days. If more time is required to investigate, you will be informed of the likely timescale within 10 days.

### **Stage 5: Written complaint to the Chair of Trustees**

If the complaint has not been resolved at Stage 4, you may take your complaint to the Chair of the Quality First Education Trust's Board of Trustees by writing to the Trust's registered address:

Chair of Trustees, Quality First Education Trust, Belleville Primary School, Belleville Road,  
London SW11 6PR

You will need to write to the Chair of Trustees within 10 school days of the date of the letter notifying you of the outcome of Stage 4. Please state that you are complaining under Stage 5 of the complaints procedure. You should provide a copy of the written complaint at Stage 3, a copy of the letters concluding Stages 3 and 4, and give details of why you are not satisfied with the outcome so far.

The Chair of Trustees will investigate and make every effort to resolve the issue. This may involve meeting with you, the headteacher and/or the Chair of the Local Governing Body.

Timescale for response: The Chair of Trustees will acknowledge your written complaint within 5 school days; and write to you with the outcome of his/her investigation within a further 10 school days. If more time is required to investigate, you will be informed of the likely timescale within 10 days.

### **Stage 6: Complaint heard by a Complaints Appeal Panel**

If the complaint has not been resolved at Stage 5, you may request that your complaint is considered by a complaints appeal panel. You will need to write to the Chair of Trustees within 10 school days of the date of the letter notifying you of the outcome of Stage 5, notifying that you wish your complaint to be heard by a complaints appeal panel and giving the details of why the response at Stage 5 is not satisfactory to you. The Chair will convene an appeal panel.

The appeal panel hearing is the last Trust-based stage of the complaints process and is not convened to merely rubber stamp previous decisions.

The Chair of Trustees will nominate three people to have delegated powers to hear the complaint at this stage. Two of the panel members will be trustees or local governors and the third will be a person who is independent from the management and operation of the Trust or any of its schools. All panel members will have no previous knowledge of the complaint. The panel will choose their own chair. The remit of the complaints appeal panel is to:

- 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 school's systems or procedures to ensure that problems of a similar nature do not recur.

You will be invited to attend a meeting of the panel, as will school staff if required by the panel. You and any staff involved in the complaint may bring a companion to the meeting.

Timescale for response: The Chair of the Complaint Appeal Panel will:

- Acknowledge your written request for an appeal panel within 5 school days; and
- Convene an appeal panel meeting within a further 20 days; and
- Write to you with the panel's decision, within 5 school days of the meeting. This letter will confirm the end of the involvement by the school, local governing body and Board of Trustees in the complaint and explain any further rights of appeal.

If a longer period is required to investigate the matter, the response may go beyond this timeframe, but you will be kept informed of this.

**If you remain dissatisfied:**

If after following all the stages set out above, you remain dissatisfied, you may contact the Education Funding Agency (EFA) in accordance with their **Procedure for Dealing with Complaints about Academies:**

<https://www.gov.uk/government/publications/complain-about-an-academy>

Please note that the EFA will not consider your complaint unless you have been through all relevant stages of this complaints procedure first.

## C. Concerns or Complaints by Persons other than Parents/Carers of Pupils at the School

We want to ensure we have a good relationship with members of our local community, as well as with parents and carers. If you have a complaint you should follow the five stages below, in order, until your complaint is resolved.

### **Stage 1: Raise your concern with a member of staff**

A concern regarding the school may be made to any member of staff. That member of staff will attempt to resolve the matter immediately or may, if appropriate, refer the matter to their line manager or a member of the senior leadership team who may be best placed to deal with the concern.

Timescale for response: You will receive a verbal or written response within 5 school days. If more time is required to investigate or to arrange a suitable time for discussion, you will be informed of the likely timescale within 5 school days.

### **Stage 2: Meet with a senior member of staff**

If your concern cannot be resolved at Stage 1, you may request a meeting with a senior member of staff. The senior leadership team will normally allocate an appropriate member of staff to meet with you.

Timescale for response: The school will set up a face to face meeting within 10 school days. If more time is required to investigate, or to arrange a suitable time for a meeting, you will be informed of the likely timescale within 10 school days.

### **Stage 3: Written complaint to the headteacher**

If your concern cannot be resolved at Stage 2, you should submit a written complaint to the headteacher of the school, within 10 school days of Stage 2 being concluded. You may submit your complaint either by post or email, marked for attention of the headteacher. Please state that you are making a complaint under Stage 3 of the Complaints Policy. The headteacher will investigate and make every effort to resolve the issue. This may involve meeting with you. As part of the investigation, the headteacher may delegate the task of collating information to another staff member, but not the decision or action to be taken.

Timescale for response: The headteacher will acknowledge your written complaint within 5 school days; and write to you with the outcome of his/her investigation within a further 10 school days. If more time is required to investigate, you will be informed of the likely timescale within 10 days.

### **Stage 4: Written complaint to the Chair of the Local Governing Body**

If the complaint cannot be resolved at Stage 3, you may make a written complaint to the Chair of the Local Governing Body.

You will need to write to the Chair of the Local Governing Body, care of the school, or by email marked for the attention of the Chair of the Local Governing Body, within 10 school days of the date of the letter notifying you of the outcome of Stage 3.

Please state that you are complaining under Stage 4 of the complaints procedure. You should provide a copy of your written complaint at Stage 3, a copy of the headteacher's letter concluding Stage 3 and give details in writing of why you are not satisfied with the outcome. The Chair of the Local Governing Body will investigate and make every effort to resolve the issue. This may involve meeting with you and the headteacher.

Timescale for response: The Chair of the Local Governing Body will acknowledge your written complaint within 5 school days; and write to you with the outcome of his/her investigation within a further 10 school days. If more time is required to investigate, you will be informed of the likely timescale within 10 days.

### **Stage 5: Written complaint to the Chair of Trustees**

If the complaint has not been resolved at Stage 4, you may take your complaint to the Chair of the Quality First Education Trust's Board of Trustees by writing to the Trust's registered address:

Chair of Trustees, Quality First Education Trust, Belleville Primary School, Belleville Road, London SW11 6PR

You will need to write to the Chair of Trustees within 10 school days of the date of the letter notifying you of the outcome of Stage 4. Please state that you are complaining under Stage 5 of the complaints procedure. You should provide a copy of the written complaint at Stage 3, a copy of the letters concluding Stages 3 and 4, and give details of why you are not satisfied with the outcome so far.

The Chair of Trustees will investigate and make every effort to resolve the issue. This may involve meeting with you, the headteacher and/or the Chair of the Local Governing Body.

Timescale for response: The Chair of Trustees will acknowledge your written complaint within 5 school days; and write to you with the outcome of his/her investigation within a further 10 school days. If more time is required to investigate, you will be informed of the likely timescale within 10 days.

### **If you remain dissatisfied**

If after following all the stages set out above, you remain dissatisfied, you may contact the Education Funding Agency (EFA) in accordance with their **Procedure for Dealing with Complaints about Academies:**

<https://www.gov.uk/government/publications/complain-about-an-academy>

Please note that the EFA will not consider your complaint unless you have been through all relevant stages of this complaints procedure first.



## D. Persistent or Vexatious Complaints and/or Harassment

### **Definition of a persistent/vexatious complainant**

For the purpose of this policy, a persistent/vexatious complainant is someone who frequently raises or complains about issues, either formally or informally, and whose behaviour is unreasonable. Such behaviour may be characterised by:

- a) actions which are obsessive, persistent, harassing, prolific, repetitious;
- b) prolific or excessive contact (in person, by post, email or telephone) about an issue or concern;
- c) using Freedom of Information requests excessively and unreasonably;
- d) an insistence upon pursuing unsubstantial complaints and/or unrealistic or unreasonable outcomes;
- e) an insistence upon pursuing complaints in an unreasonable manner;
- f) an insistence on only dealing with one particular member of staff on all occasions, irrespective of the issue and the level of delegation in the school to deal with such matters;
- g) an insistence upon repeatedly pursuing a complaint when the outcome is not satisfactory to the complainant but cannot be changed, for example, if the desired outcome is beyond the remit of the school.

### **Definition of harassment**

For the purpose of this policy, harassment is the unreasonable pursuit of such actions as in (a) to (g) above in such a way that they:

- a) appear to be targeted over a significant period of time on one or more members of staff and/or
- b) cause ongoing distress to individual member(s) of staff and/or
- c) have a significant adverse effect on the whole/parts of the school community and/or
- d) are pursued in a manner which can be perceived as intimidating and oppressive by the recipient. This could include situations where persistent demands and criticisms, whilst not particularly taxing or serious when viewed in isolation, have a cumulative effect over time of undermining confidence, well-being and health; and/or affecting the recipient's ability to do her or her job by taking up a disproportionate amount of time.

### **School Actions in the case of persistent or vexatious complaints and/or harassment**

In the first instance the school will verbally inform you that your behaviour is considered to be becoming unreasonable or unacceptable and, if it is not modified, action may be taken in accordance with this policy. This will be confirmed in writing. If the behaviour is not modified, the school will take some or all of the following actions as necessary, having regard to the nature of your behaviour and its effect on the school community:

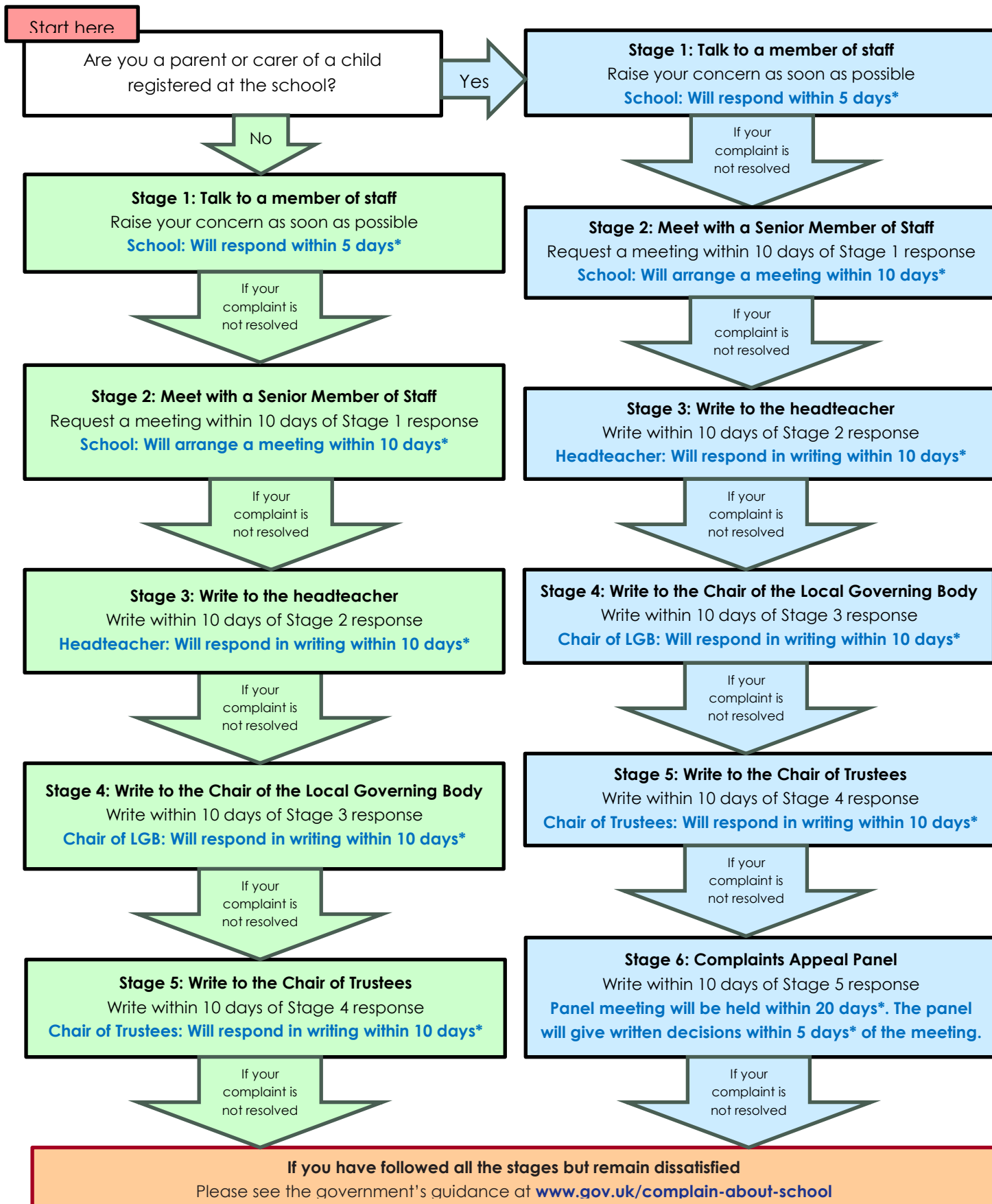
- inform you in writing that your behaviour is now considered by the school to be unreasonable/unacceptable and, therefore, to fall under the terms of this policy;
- inform you that all meetings with a member of staff will be conducted with a second person present and that notes of meetings may be taken in the interests of all parties;
- inform you that, except in emergencies, all routine communication between yourself and the school should be by letter only;

- (in the case of physical, or verbal aggression) take advice from HR/Legal Services and consider warning you about being banned from the school site; or proceed straight to a temporary ban;
- consider taking advice on pursuing a case under Anti-Harassment legislation;
- consider putting in place a specific procedure for dealing with your complaints, i.e. you will not be able to deal directly with the headteacher but only with a third person to be identified by the governing body of the school, who will investigate, determine whether or not the concern/complaint is reasonable or vexatious and then advise the headteacher accordingly.

Please note - legitimate new complaints may still be considered even if the person making them is, or has been, subject to the policy for dealing with Persistent or Vexatious Complaints and/or Harassment. If a complainant's persistent complaining/harassing behaviour is modified and is then resumed at a later date within a reasonable period of time, the school may resume the process identified above at an appropriate level. In these circumstances professional HR or legal advice may be sought. This part of the procedure may apply where a person continues to raise complaints or concerns despite the school having attempted to resolve the matter.

## Appendix: Overview of School Complaints Procedure

See sections B and C of this policy for details



\* Please note **days = school days**. If more time is required, you will be informed of this within the timeframe. Please also note that concerns about safeguarding, admissions and exclusions will be managed through separate policies, available on our website.