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School Complaints Procedure

1. General Principles:

1.1 From time to time parents, and others connected with the school, will become aware of matters which cause them concern. To encourage resolution of such situations the Trust and Locality Committee has adopted a "School Complaints Procedure".

1.2 The procedure is devised with the intention that it will:

- > Usually be possible to resolve problems by informal means
- > Be simple to use and understand
- > Be non-adversarial
- > Provide confidentiality
- > Allow problems to be handled swiftly through the correct procedure
- > Address all the points at issue
- > Inform future practice so that the problem is unlikely to recur

1.3 This procedure is intended to allow you to raise a concern or complaint relating to the school, Trust or the services that it provides.

1.4 An anonymous concern or complaint will not be investigated under this procedure, unless there are exceptional circumstances.

1.5 To enable a proper investigation, concerns or complaints should be brought to the attention of the school and where appropriate the Trust as soon as possible. In general, any matter raised more than 3 months after the event, being complained of, will not be considered.

2. Raising a concern or complaint

2.1 Informal Stage

2.2 It is normally appropriate to communicate directly with the member of staff concerned. This may be by letter, by telephone or in person by appointment, requested via the school or Trust office. Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most complaints will be resolved by this informal stage.

2.3 In the case of serious concerns it may be appropriate to address them directly to the Academy Head (or to the Chair of the Locality Committee, if the complaint is about the Academy Head).

2.4 If you are uncertain about who to contact, please seek advice from the school or Trust office.

2.5 Formal Stage

2.6 If your concern or complaint is not resolved at the informal stage you may choose to put the complaint in writing and pass it to the Academy Head, who will be responsible for ensuring that it is investigated appropriately. If the complaint is about the Academy Head, your complaint should be passed to the school office, for the attention of the Chair of the Locality Committee.



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2.7 You should include details which might assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents.

2.8 It is very important that you include a clear statement of the actions that you would like the school to take to resolve your concern. Without this, it is much more difficult to proceed.

2.9 Please pass your letter of complaint, in a sealed envelope to the school office. The envelope should be addressed to the Academy Head, or to the Chair to the Locality Committee, as appropriate. The school expects to respond to any approach with 10 school days.

2.10 The Academy Head (or Chair) may invite you to a meeting to clarify your concerns and to explore the possibility of an informal resolution. If you accept that invitation, you may be accompanied by a friend, if you wish to assist you in explaining the nature of your concerns.

2.11 It is possible that your complaint will be resolved through a meeting with the Academy Head (or Chair). If not, arrangements will be made for the matter to be fully investigated, using the appropriate procedure. In any case you should learn in writing, usually within 5 school days of the school receiving your formal complaint, of how the school intends to proceed. This notification should include an indication of the anticipated timescale.

2.12 Any investigation will begin as soon as possible and when it has been concluded, you will be informed in writing of its conclusion.

2.13 If you are not satisfied with the manner in which the process has been followed, you may request that the Locality Committee reviews the process followed by the school, in handling the complaint. Any such request must be made in writing to the Chair to the Locality Committee, within 10 school days of receiving notice of the outcome, and include a statement specifying any perceived failures to follow the procedure. The procedure described below will be followed.

3. Review Process

3.1 Any review of the process followed by the school will be conducted by a panel of 3 independent members of the Locality Committee, who have no prior knowledge of the complaint. The school may on occasions seek to appoint members of the panel from other Locality Committees within The *Consortium* Multi Academy Trust. This will usually take place within 10 school days of receipt of your request.

3.2 The review will normally be conducted through a consideration of written submissions, but reasonable requests to make oral representations should be considered sympathetically.

Locality Committee meetings

3.1 Complaints panel

4.2 If the school receives a formal complaint about one of the limited number of matters, that is not dealt with by another statutory process, it may be necessary to convene a Locality Committee panel to consider the matter and formulate a response.

4.3 The complaint is likely to relate to matters such as:

- > the content or the application of a policy;
- > school facilities;
- > a service that the school provides.



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4.4 If a Locality Committee already has delegated power with respect to a policy that is being complained of, a panel of members from that committee should be convened. Otherwise the clerk should convene a panel of 3 committee members, who have not previously been involved with the complaint. **With one panel member being independent of the direct management and running of the school.**

4.5 The complainant should submit the details of their concerns, in writing, to the clerk. The clerk will seek similar written responses from the school, where this is necessary.

A meeting of the panel will take place, usually within 10 school days, to consider the matter. The complainant (who may be accompanied by a friend if they wish) and representative(s) from the school (who may also be accompanied by workplace colleagues or representatives from their professional associations) may be invited to attend this meeting in order to clarify the matter. As the panel meeting is intended to be investigatory, rather than adversarial, the persons giving evidence or making representations to the panel will normally attend separately.

4.6 When the panel has collected sufficient information, it will deliberate and then inform the complainant, the Academy Head and the Locality Committee of the outcome, in writing.

4.7 Consideration of the complaint by the Locality Committee and the school, save for any actions that are agreed, will terminate at this point.

4.8 If the complainant is not satisfied that the appropriate procedure has been followed, they may request a review of that process by another panel of the Locality Committee.

4.9 Review meeting

4.10 Any review of the process followed by the school will be conducted by a panel of 3 members of the Locality Committee, with one panel member being independent of the direct management and running of the school. This will usually take place within 10 school days of receipt of a written request.

4.11 The review will normally be conducted through a consideration of written submissions, but reasonable requests, from any of the parties, to make oral representations should be considered sympathetically.

4.12 The panel will first receive written evidence from the complainant.

4.13 The panel will then invite representatives of the school (usually the Academy Head or the Chair of the Locality Committee panel that has considered the matter), as appropriate, to make a response to the complaint.

4.14 The panel may also have access to the records kept of the process followed.

4.15 The complainant and the school representative(s) will be informed in writing of the outcome, usually within 5 school days of the panel meeting.

4.16 The matter will then be closed as far as the school is concerned.



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4. Complaint raised with or against the Trust

5.1 Where a complaint has been raised with an Academy School and the complainant has not been satisfied with the procedural aspects of the complaint – the complaint may be raised with the Academy Trust Board of Directors. The above informal and formal procedures are to be followed, save replacing Chair of the Locality Committee with the Chair of the Board, the Locality Committee with the Trust Board and the Academy Head with the CEO/Principal.

5.2 If a complainant wishes to raise an issue directly with the Academy Trust Board of Directors, the above informal and formal procedures are to be followed, save replacing Chair of the Locality Committee with the Chair of the Board, the Locality Committee with the Trust Board and the Academy Head with the CEO/Principal. Where the Trust Board finds that the complaint raised, under the Scheme of Delegation is a school related matter and that the school has yet to be given the opportunity to respond, the complaint will be referred back to the school.

5.3 The Education & Skills Funding Agency (ESFA) handles complaints about open academies and free schools. Part of their role is to make sure academies comply with the terms of their funding agreement which is a contract between the academy and the Secretary of State. Further information can be found at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/557407/Complain_about_an_academy.pdf

5. Model Letters

5.1 The following model letters are attached for your information and support:



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Response to spurious complainant

Dear

Following receipt of your communications and careful consideration of the same, I regret that I am unable to deal with this matter under the Locality Committee's complaints procedure as:

(It will be appropriate to include SOME of the following statements)

- You have not identified any specific actions of which you might complain.
- Your concerns are presented as conclusions rather than specific actions of which you complain.
- The concerns that you identify relate to historical actions and any evidence which might have enabled an objective investigation of your complaint is no longer available.
- The substance of your complaint has been addressed under this procedure already.
- The concerns that you raise do not fall within the scope of this procedure.
- You have not identified any potential sources of evidence which might allow the matter to be investigated.

If you wish my decision to be reviewed then you may take advantage of the procedure set out in the school's formal complaint procedure, by writing to the Clerk to the Locality Committee.

Yours sincerely,

Academy Head
Or Chair of the Locality Committee



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Acknowledgement of receipt of formal complaint and invitation to meet

Dear

I have received your formal complaint, dated I am grateful that you have brought this to my attention.

The school and Locality Committee take any complaint most seriously. Therefore I would like to meet with you, as soon as possible, so that I may understand the details of your concerns more clearly. You are welcome to be accompanied to the meeting by a friend, if you would find this helpful. Please telephone in order to arrange an appointment. I can offer you an appointment at on Please let me know if this is convenient.

I hope that we will be able to resolve your concerns through our meeting, but if not I will ensure that the appropriate investigation takes place. This should begin within 5 days of our meeting.

Yours sincerely,

Academy Head
Or Chair of the Locality Committee



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**Acknowledgement of receipt of formal complaint referred by a third party
(e.g. LA, Councillor, MP)**

Dear

I have received a copy of the documentation that you sent to setting out a complaint about This has been passed to the school as it has responsibility for these matters.

The school and Locality Committee take any complaint most seriously. Therefore I would like to meet with you, as soon as possible, so that I may understand the details of your concerns more clearly. You are welcome to be accompanied to the meeting by a friend, if you would find this helpful. Please telephone in order to arrange an appointment./ I can offer you an appointment at on Please let me know if this is convenient.

Meanwhile I would be grateful if you would complete and return the formal complaint form that is enclosed, along with details of the school's complaints procedure.

I hope that we will be able to resolve your concerns through our meeting, but if not I will ensure that the appropriate investigation takes place. This should begin within 5 days of our meeting.

Yours sincerely,

Academy Head
Or Chair of the Locality Committee



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Acknowledgements of receipt of formal complaint and advising complainant that the matter has been referred

Dear

I have received your formal complaint, dated I am grateful that you have brought this to my attention.

However, the matters that are of concern to you are the responsibility of the Locality Committee pupil discipline committee/LA/Trust/service provider, so I have forwarded your documentation to You should be contacted, in the near future, to be advised of how they intend to proceed.

If I can be of any further assistance, please do let me know.

Yours sincerely,

Academy Head



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Acknowledgements of receipt of formal complaint and advising complainant that the matter is being dealt with under a confidential school procedure

Dear

I have received your formal complaint, dated I am grateful that you have brought this to my attention.

The school and Locality Committee take any complaint most seriously. Therefore I have initiated an immediate investigation. It is possible that the investigator will wish to meet with you to clarify the evidence that you have provided so far. If so, he/she will write to you to make suitable arrangements.

As your concerns relate to the conduct/capability of a member of staff, the investigation will be carried out under the school's personnel procedures. This means that the detail of the procedure and its outcome must remain confidential to the school and the member of staff concerned.

OR

As your concerns relate to the behaviour of a pupil, the investigation will be carried out under the school's pupil conduct and disciplinary procedures. This means that the detail of the procedure and its outcome must remain confidential to the school and the parents of the child concerned.

In due course, I may be able to provide you with some information about the outcomes of the investigation and the processes that have been followed, but in any event will let you know when the matter has been concluded.

If I can be of any further assistance, please do let me know.

Yours sincerely,

Academy Head
Or Chair of the Locality Committee



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Notification of decision regarding formal complaint

Dear

Following receipt of your complaint and careful consideration of all the available relevant evidence, I/the panel have/has concluded that:

There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld. If you are able to provide additional evidence forthwith I/we will reconsider this decision.

OR

The concern is not substantiated by the evidence in that

The concern was substantiated in part/in full, as The school will review its practices/procedures with the intention of avoiding any reoccurrence.
Parents will be informed in due course of any policy changes.

OR

In order to address fully the matters investigated, the school has initiated appropriate internal procedures. Due to the nature of these procedures, their outcome must remain strictly confidential. We are confident, however, that the circumstances that gave rise to your complaint should not recur

OR

In order to address fully the matters of concern that you identified, the panel recommended that the Locality Committee should review its policy, as a matter of urgency. We are confident that this should prevent similar concerns arising in future.

I hope that we may now put this matter behind us and work together for the benefit of your child's progress.

Yours sincerely,

Academy Head
Or Chair of the Locality Committee
Or Chair of the Panel



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Review outcome notification

Dear

Having carefully considered your representations in the context of the relevant evidence, the Locality Committee Complaints Review Panel has concluded that the school followed the relevant procedure appropriately in respect of your complaint.

Summary of reasons

Therefore, the matter is now closed as far as the school is concerned.

Or

Having carefully considered your representations in the context of the relevant evidence, the Locality Committee Complaints Review Panel has concluded that the school followed the relevant procedure appropriately in respect of your complaint except

Therefore, the following action will be taken

Once this action has been completed the school will consider the matter to be closed.

Or

Having carefully considered your representations in the context of the relevant evidence, the Locality Committee Complaints Review Panel has concluded that the school followed the relevant procedure appropriately in respect of your complaint except

However the panel determined that this procedural failure did not affect the outcome of the consideration of your complaint so, while we regret this error, we will now consider this matter to be closed as far as the school is concerned.

Yours sincerely,

Chair of Complaints Review Panel
c.c. Academy Head
Chair of Locality Committee



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6. The Consortium Trust Policy For Handling Unreasonably Persistent, Harassing Or Abusive Complainants [LEAFLET]

7.1 The Academy Head / Chair of the Locality Committee and Trust are fully committed to the improvement of our school.

7.2 We welcome feedback from parents/carers and will always try to resolve any concerns as quickly as possible. The above procedure is for parents to use if they wish to make a formal complaint.

7.3 Sometimes, however, parents or carers pursuing complaints or other issues treat staff and others in a way that is unacceptable. Whilst we recognise that some complaints may relate to serious and distressing incidents, we will not accept threatening or harassing behaviour towards any members of the school community.

7.4 The aim of this leaflet is to provide information about our school policy on unreasonably persistent complainants or harassment of staff.

7.5 What do we mean by 'an unreasonably persistent complainant'?

7.6 An unreasonably persistent complainant may be anyone who engages in unreasonable behaviour when making a complaint. This will include persons who pursue complaints in an unreasonable manner.

7.7 Unreasonable behaviour may include:

Actions which are:

- > out of proportion to the nature of the complaint, or
- > persistent – even when the complaints procedure has been exhausted, or
- > personally harassing, or
- > unjustifiably repetitious

An insistence on:

- > pursuing unjustified complaints and/or
- > unrealistic outcomes to justified complaints
- > pursuing justifiable complaints in an unreasonable manner (eg using abusive or
- > threatening language; or
- > making complaints in public or via a social networking site such as Facebook; or
- > refusing to attend appointments to discuss the complaint.

7.8 What is 'harassment'?

7.9 We regard harassment as the unreasonable pursuit of issues or complaints, particularly if the matter appears to be pursued in a way intended to cause personal distress rather than to seek a resolution.



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7.10 Behaviour may fall within the scope of this policy if:

- > it appears to be deliberately targeted at one or more members of school staff or
 - others, without good cause;
- > the way in which a complaint or other issues is pursued (as opposed to the complaint
 - itself) causes undue distress to school staff or others;
- > it has a significant and disproportionate adverse effect on the school community.

7.11 What does the school expect of any person wishing to raise a concern?

7.12 The school expects anyone who wishes to raise concerns with the school to:

- > treat all members of the school community with courtesy and respect;
- > respect the needs of pupils and staff within the school;
- > avoid the use of violence, or threats of violence, towards people or property;
- > recognise the time constraints under which members of staff in schools work and
- > allow the school a reasonable time to respond to a complaint;
- > follow the school's complaints procedure.

7.13 Schools' responses to unreasonably persistent complaints or harassment

7.14 This section is intended to be used in conjunction with the school's complaints procedure. Taken together, these documents set out how we will always seek to work with parents, carers and others with a legitimate complaint to resolve a difficulty.

7.15 However, in cases of unreasonably persistent complaints or harassment, the school may take some or all of the following steps, as appropriate:

- > inform the complainant informally that his/her behaviour is now considered by the
 - school to be unreasonable or unacceptable, and request a changed approach;
- > inform the complainant in writing that the school considers his/her behaviour to fall
 - under the terms of the Unreasonably Persistent Complaints and Harassment;
- > require all future meetings with a member of staff to be conducted with a second
 - person present. In the interests of all parties, notes of these meetings may be taken;
- > inform the complainant that, except in emergencies, the school will respond only to
 - written communication.

7. Physical or verbal aggression

8.1 The Locality Committee and Trust will not tolerate any form of physical or verbal aggression against members of the school community. If there is evidence of any such aggression the school may:

- > ban the individual from entering the school site, with immediate effect;
 - request an Anti-Social Behaviour Order (ASBO);
- > prosecute under Anti-Harassment legislation;
- > call the police to remove the individual from the premises, under powers provided by the Education Act 1996.



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8.2 Legitimate new complaints will always be considered, even if the person making them is (or has been) subject to the Unreasonably Persistent Complaints/ Harassment procedure.

8.3 The school and Trust nevertheless reserves the right not to respond to communications from individuals subject to the Unreasonably Persistent Complaints/ Harassment procedure.

Document Control

Changes History

Version	Date	Amended By	Details of Change
V2	28/11/18	Principal/CEO	In response to ESFA review, to clarify the composition of a complaints panel

Approval

Name	Job Title	Signed	Date
Andrew Aalders-Dunthorne	Principal/CEO	Electronic signature	19/12/2016
Dawn Carman-Jones	On behalf of the Trust Board	Electronic signature	19/12/2016

Equality Impact Assessment

Date	Name	Details

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