



INSPIRE SUPPORT TEACH COMPLAINTS PROCEDURE

Signed: _____ **on behalf of Trustees**

Date: _____

INCLUSIVE SCHOOLS TRUST
Whole School Complaints Procedure

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INCLUSIVE SCHOOLS TRUST

Whole School Complaints Procedure

Introduction

At Inclusive Schools Trust our staff and Trustees want our pupils to be safe, healthy and happy and to achieve to their full potential. We pride ourselves on the quality of the teaching and the pastoral care we provide however, we recognise that in the event of a complaint or concern Parents and Carers will wish for this to be resolved as quickly as possible. All concerns and complaints will be handled seriously in line with this Policy.

This Complaints Procedure should also be used in respect of any complaints received from people who are not parents of attending pupils.

We believe the use of the word 'complaint' should be restricted to situations where a situation is being formally investigated and we encourage language such as "concerns" or "clarification" which may be more conducive towards resolving matters informally and quickly. We encourage parents and carers with a complaint or concern to let us know what they think would help resolve the situation.

Background

Schedule 1, Part 7 of the [Education \(Independent School Standards \(England\) Regulations 2014](#) requires all Academies to produce and make available a procedure to deal with complaints related to the school or any community facilities or services provided by the school.

Our Policy and Procedure adheres to the following principles of good practice.

- Complaints and concerns can be communicated in writing or by other methods of preferred communication.

Records

- Notes of meetings held and of telephone conversations will form part of the record of the concern or complaint.
- Consideration will be given to recording conversations in situations where there are communication difficulties, subject to permission being sought from all parties involved.
- All stages of the process will be documented in a single file held centrally in the Trust Office.
- All such records are subject to the Freedom of Information and Data Protection Acts. Content will therefore be factual and objective.

Need to know

- Concerns are sometimes brought to a Trustee in the first instance. The Trustee will advise that the school's complaints procedure must be followed. The Trustee will advise the Chair of Trustees of this without providing details of the concern of complaint. The Trustee will have no further involvement in the process.
- Should a concern be shared with the entire Board of Trustees, arrangements should be made to convene an independent panel of Members of the Trust.

One panel member will be independent of the management of the Trust and running of the school.

Does a school's complaints procedure cover all provision?

Areas outside the scope of the complaints procedure

Exceptions	Whom to contact
<ul style="list-style-type: none"> • Admissions to school • Statutory assessments of Special Educational Needs • School re-organisation proposals • Matters likely to require a Child Protection investigation 	Complaints should be raised direct with the Local authority.
<ul style="list-style-type: none"> • Exclusion from school 	Further information about raising concerns about exclusion can be found at: https://www.gov.uk/school-discipline-exclusions/exclusions
<ul style="list-style-type: none"> • Whistleblowing 	The Trust publishes a Whistleblowing Policy on their website www.inclusiveschoolstrust.co.uk Ofsted may be contacted by email at (whistleblowing@ofsted.gov.uk) telephone (0300 1233155) or in writing to: WBHL, Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD.
<ul style="list-style-type: none"> • Staff grievances and disciplinary procedures 	The Trust has grievance and disciplinary procedures for employees. Complainants are not informed of the outcomes of actions under these procedures.
<ul style="list-style-type: none"> • Complaints about services provided by external bodies using a school's premises or facilities. 	Providers should be contacted directly and have their own procedures for such eventualities.

Is it vexatious?

Trustees and staff of Inclusive Schools Trust will do their best to be helpful to anyone who contacts them with a complaint or concern. There will however be some complainants who are reluctant to accept the outcome of the process, despite all stages of the complaints procedure having been followed. In such cases, the person should be encouraged to refer the matter to the Secretary of State.

Should the complainant continue to make contact on the same issue the Chair of Trust has the power to inform them that the process is complete and the matter is therefore closed.

In the context of Freedom of Information requests 'vexatious' is defined as the 'manifestly unjustified, inappropriate or improper use of a formal procedure.' The term 'serial' or 'persistent' complaints concerns the subject of the complaint rather than the complainant.

What criteria may be applied to decide whether a complaint is 'manifestly unjustified, inappropriate or improper'?

- All reasonable steps have been taken to address matters.
- A clear statement has been provided of the school's position.
- The school is being repeatedly contacted with the same points being raised.
- The school has reasonable grounds for believing that the intention is to cause inconvenience.
- Communications are aggressive in tone or content. Abusive, derogatory and/or threatening comments are made.

Complaints Policy

General Principles:

- This procedure is intended to allow you to raise a concern or complaint relating to the school, or the services that it provides.
- An anonymous concern or complaint will not be investigated under this procedure, unless there are exceptional circumstances.
- Complaints should be brought to the attention of the school as soon as possible.
- To enable a proper investigation, concerns or complaints should be brought to the attention of the school as soon as possible. In general, any matter raised more than 3 months after the event, being complained of, will not be considered.

Raising a concern or complaint

Informal Stage

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 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.

In the case of serious concerns this should be addressed directly to the Partnership Headteacher/Headteacher/Head of School (or to the CEO of the Trust, if the complaint is about the Partnership Headteacher/Headteacher/Head of School) or the Chair of the Trust if the complaint is about the CEO.

If you are uncertain about who to contact, please seek advice from the school office or the Clerk to the Trust who can be contacted on 01603 516164.

Formal Stage

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 CEO, who will be responsible for ensuring that it is investigated appropriately. The CEO will report to the Trustees the findings of the complaint. If the complaint is about the CEO, your complaint should be passed to the Clerk to the Trust, for the attention of the Chair of the Trust.

A Complaint Form is available on our website to assist you.

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. 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.

Please pass the completed form, in a sealed envelope to the school office. The envelope should be addressed to the CEO, or to the Clerk to the Trust (marked for the attention of the Chair of the Trust), as appropriate.

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

It is possible that your complaint will be resolved through a meeting with the CEO (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 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.

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

If you are not satisfied with the manner in which the process has been followed, you may request that the Trust Board reviews the process followed in handling the complaint. Any such request must be made in writing to the Clerk to the Trust 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.

A Review Request Form is available on the Trust website for your convenience.

Review Process

Any review of the process followed will be conducted by a panel of at least three people who were not directly involved in the matters detailed in the complaint. The panel will comprise of two members of the Trust Board and one person who will be independent of the management and running of the school. This will usually take place within 10 school days of receipt of your request. If the school is closed the panel will meet within 10 days of the school reopening.

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

The Partnership Headteacher/Headteacher/Head of School will be given a copy of your request for a review and will be asked to provide the records of the complaint.

The Clerk to the Trust will send you, the CEO and the panel members a copy of all the documentation at least 5 school days before the date of the meeting, along with a formal invitation to attend. Both you and the CEO can bring someone for support.

At the meeting you and the CEO should provide all the relevant information and the panel members will clarify any points. The Chair will then ask all parties to leave except the panel members and the Clerk to the Trust.

After the meeting the panel will write to all concerned within 10 school days to explain their decision and suggest a resolution to the problem, if appropriate. The decision of the panel is final.

The decision of the panel will not be investigated.

The Education and Skills Funding Agency (ESFA) school complaints form

If you feel that the school and Trustees have not handled your complaint correctly a complaint can be made to the ESFA using their school complaints form which is available on their website.

Appendix 1 – Complaint Procedure Flowchart

Stage 1
Informal
Stage



Complaint Heard

- Concern or complaint heard by staff member – Partnership Headteacher/Headteacher/Head of School informed of outcome
- Serious concern or complaint heard by Partnership Headteacher/Headteacher/Head of School
- Complaint about Partnership Headteacher/Headteacher/Head of School heard by CEO

Issue resolved

Issue not resolved

- Written complaint may be made to CEO
- If complaint regarding CEO, written complaint to be submitted to Clerk to the Trust (marked for the attention of Chair of the Trust)
- A Formal Complaint Form is available for completion on the Trust website

Stage 2
Formal
Stage



Formal Complaint received

- Formal Complaint or Formal Complaint Form reviewed by CEO or Chair of the Trust
- Letter issued (usually within 5 days of school receiving the complaint) to confirm how school intends to proceed and the anticipated timescale
- CEO/Chair of the Trust may invite complainant to a meeting to explore possibility of informal resolution
- Any investigation will start as soon as possible and once completed, conclusion will be confirmed in writing

Issue resolved

Issue not resolved

- Request Trust Board reviews decision (within 10 days) by writing to Clerk to the Trust
- A Review Request Form is available for completion on the Trust website

Stage 3
Review
Process



Complaints Panel Meeting

- Clerk to the Trust invites complainant to meeting (within 10 school days of receipt of request)
- Clerk to the Trust Issues documentation for meeting (at least 5 school days before meeting)
- Panel writes to all concerned with final decision (within 10 school days of meeting)

Issue resolved

Issue not resolved

- A complaint can be made to the ESFA using their school complaints online form which can be accessed on their website.

Stage 4



Appendix 1 - Version Control Log

Date of Change	Paragraphs Affected	Summary of Update
9/1/2018	All	Policy fully updated Policy review date changed to January 2019
8/3/2018	Review Process - Page 5	Panel details updated
January 2019	Page 3	Table updated to include Trust website details Reference made to Trust rather than school
January 2019	Informal Stage section	Reference made to Heads of School Included contact details for Trust Office
January 2019		Updated EFA to ESFA
January 2019		Addition of Appendix 1
March 2020		Reference to Partnership Headteacher made. Link to form on ESFA website broken, replaced with wording to direct complainant to ESFA website. Phone number for Clerk updated.